

Rob Clark | Curriculum Vitae

5 Wentworth – Level 5, 180 Phillip Street, Sydney NSW 2000
EMAIL : rob.clark@5wentworth.com TEL : 02 8066 6152

EMPLOYMENT

BARRISTER | 5 Wentworth (2014-)

- I practice in the following areas of law:
 - Intellectual Property Law
 - General Commercial Law
 - Tax
 - Administrative and Public Law
 - Briefs accepted in all areas of law
- I have appeared as counsel in the following matters:
 - Intellectual Property
 - *Patent*
 - ***Voxson Pty Ltd v Telstra Corporation Limited*** [2018] FCA 227; [2018] FCA 376 (led by N Murray)
 - ***Merck Sharp & Dohme v Wyeth LLC*** NSD1381/2017 (led by C Cochrane)
 - ***Quaker Chemical (Australasia) Pty Ltd v Fuchs Lubricants (Australasia) Pty Ltd*** NSD1210/2016 (led by Dimitriadis SC)
 - ***Regency Media Pty Ltd v MPEG LA, LLC*** (2014) 231 FCR 588 (led by Dimitriadis SC)
 - ***Alphapharm Pty Ltd v H Lundbeck*** (2014) 110 IPR 59 (led by Catterns QC and Dimitriadis SC)
 - ***In the matter of Australian Patent Application 2013203637 in the Name of Yeda Research and Development*** [2017] APO 41 (led by Bannon SC)
 - *Trade mark*
 - ***Anchorage Capital Partners Pty Limited v ACPA Pty Ltd*** (2018) 128 IPR 255 (led by Dimitriadis SC)
 - ***Anchorage Capital Partners Pty Limited v ACPA Pty Ltd*** (2015) 115 IPR 67; [2015] FCA 1436; [2016] FCA 218 (led by Bannon SC and Dimitriadis SC)
 - ***Buchanan Turf Supplies Pty Ltd v Registrar of Trade Marks*** (2015) 114 IPR 81 (led by Dimitriadis SC)
 - ***Sensis Pty Ltd v Senses Direct Mail and Fulfilment Pty Ltd*** VID799/2016 (Judgment reserved) (led by Cobden SC)
 - ***Unichi Holdings Pty Ltd v Australian Prime Investment Pty Ltd*** NSD582/2018 (led by J Cooke)
 - ***Coventry Group Limited v Covs Parts Pty Ltd*** NSD601/2015 (unled)
 - ***James Glen Pty Ltd v Coventry Group Limited*** NSD1151/2017 (led by A Lang)
 - ***Raw C*** [2014] ATMO 119 (led by S Balafoutis)
 - *Copyright*
 - ***Universal Music Australia v TPG Internet Pty Ltd*** [2017] FCA 435 (led by Catterns QC)
 - ***Career Step, LLC v TechMed Pty Ltd (No 2)*** (2018) 129 IPR 70 (led by S Balafoutis)

- ***Ian Cubitts Classic Home Improvements Pty Ltd v Krickovic* [2015] FCCA 2630** (led by D Meltz)
- ***Ian Cubitts Classic Home Improvements Pty Ltd v GE Group Services Pty Ltd*** SYG943/2018 (unled)
- ***National Institute of Education Pty Ltd v Ace Specialist HSC Tuition Pty Ltd*** SYG679/2017 (unled)
- **Commercial**
 - ***Apache Finance Pty Ltd v Quadrant Energy Pty Ltd* [2018] WASC 68** (led by Hutley SC)
 - ***Brand2Content Pty Ltd v Solar Australia Pty Ltd* [2018] NSWSC 56** (led by S Balafoutis)
 - ***Wyzenbeek v Australasian Marine Imports Pty Ltd* [2017] FCA 1460** (led by Giles SC)
 - ***Trilogy Funds Management Ltd atf Pacific First Mortgage Fund v KPMG* [2017] FCA 432** (led by C Withers)
 - ***In the matter of Hair Industrie Penrith Pty Ltd, Hair Industrie Merrylands Pty Ltd* [2015] NSWSC 1578; [2015] NSWSC 1905** (unled)
 - ***In Bo Park v Jin Pyo Cho*** 2015/00374086 (Supreme Court) (unled)
 - ***Elliot Rocke Holdings Pty Ltd v Thistle Hill Wines Pty Ltd*** SYG3367/2017 (led by P Knowles)
 - ***Ronai & Associates v MHM Metals Ltd*** 2015/198415 (District Court) (unled)
 - ***Secure Funding v Stark* [2015] NSWSC 223** (led by S Balafoutis)
 - ***Crane Property Pty Ltd v Craig Burton*** 2014/00168865 (District Court) (unled)
 - ***Elizabeth Margaret Rizzo v Pasquale Rizzo*** 2014/190820 (Supreme Court) (led by S Balafoutis)
 - ***Thomas Mithen v Luke Thomas*** 2015/00079365 (Local Court) (unled)
 - ***Williamson Associates Recovery & Trading Services Pty Ltd v 6 Degrees Management Pty Ltd*** 2015/00031761 (Local Court) (unled)
 - ***Wlodzimierz Antoni Kzlowski v Constantinos Capsis*** 2014/00334274 (Local Court) (unled)
- **Tax**
 - ***Tech Mahindra Limited v Commissioner of Taxation* (2016) 250 FCR 287** (led by Sullivan SC and M Heraghty)
 - ***Tech Mahindra Limited v Commissioner of Taxation* [2015] FCA 1082** (led by Sullivan SC and M Heraghty)
 - ***Oak Brick Investment Pty Ltd v Chief Commissioner of State Revenue* [2016] NSWSC 1039** (led by S Balafoutis)
 - ***Esplanade Wollongong Pty Ltd v Chief Commissioner of State Revenue* [2015] NSWCATAD 228; [2017] NSWCATAD 157** (led by S Balafoutis)
 - ***BXCD v Commissioner of Taxation No 2016/1597 (AAT)*** (Judgment reserved) (unled)
 - ***Chrissie Group Pty Ltd v Chief Commissioner of State Revenue* [2018] NSWCATAD 77** (unled)
 - ***Andre Madikian v Chief Commissioner of State Revenue* [2017] NSWCATAD 263** (unled)

- *Alexander v Chief Commissioner of State Revenue* [2017] NSWCATAD 180 (unled)
- *Nifuno Pty Ltd v Chief Commissioner of State Revenue* 2018/81290 (unled)
- *Happy Days Property Pty Ltd v Chief Commissioner of State Revenue* [2016] NSWCATAD 289 (unled)
- *Perizon Nominees Pty Ltd v Chief Commissioner of State Revenue* [2016] NSWCATAD 84 (unled)
- Administrative
 - *ADK15 v Minister for Immigration* [2015] FCA 1187 (unled)
 - *AUS17 v Minister for Immigration* NSD44/2018 (judgment reserved) (unled)
 - *AUS17 v Minister for Immigration* [2017] FCCA 1986 (unled)
 - *AHX15 v Minister for Immigration* [2015] FCA 1183 (unled)
 - *BJG18 v Minister for Home Affairs* [2018] FCCA 2082 (unled)
 - *DZQ16 v Minister for Immigration* SYG3660/2016 (judgment reserved) (unled)
 - *BOS15 v Minister for Immigration* [2017] FCCA 745 (unled)
 - *CGK15 v Minister for Immigration* [2017] FCCA 938 (unled)
 - *AJJJ v Minister for Immigration* [2016] FCCA 482 (unled)
 - *MZNAC v Minister for Immigration* [2015] FCCA 344 (unled)
 - *AEF15 v Minister for Immigration* [2015] FCCA 884 (unled)
 - *AHX15 v Minister for Immigration* [2015] FCCA 1312 (unled)
 - *AGK15 v Minister for Immigration* [2015] FCCA 1342 (unled)
 - *ADK15 v Minister for Immigration* [2015] FCCA 1493 (unled)

SESSIONAL LECTURER | University of Sydney (2015)

- Copyright and Designs

SESSIONAL LECTURER | University of New South Wales (2014)

- Copyright and Designs

SOLICITOR | Allens (2010-2014)

- Intellectual Property Group (2012-2014)
 - *The Coca-Cola Company v PepsiCo Inc* (2014) 109 IPR 429 (Trade mark)
 - *Blue Gentian v Product Management Group* [2014] FCA 1331 (Patent)
 - *Spirit Pharmaceuticals Pty Ltd v Mundipharma Pty Ltd* [2013] FCA 658 (Patent)
 - *Make-up Art Cosmetics Inc v Target Australia Pty Ltd* NSD1335/2012 (Trade mark)
 - *Apotex Pty Ltd v Sanofi-Aventis* NSD1639/2007 (Patent)
- Banking and Finance Group (2010-2012)

ASSOCIATE TO JUSTICE COWDROY OAM | Federal Court of Australia (2009-2010)

ACADEMIC

BCL | University of Oxford, Magdalen College (2010-2011)

- BCL awarded with Distinction (2012)
- Law Faculty Prize for International Intellectual Property Rights (2011)
- Rotary International Ambassadorial Scholarship (2010)
- University of Sydney Eleanor Sophia Wood Postgraduate Research Scholarship (2010)

BA/LLB | University of Sydney (2004-2008)

- LLB Honours Class I (2008)
- Minter Ellison Prize for Intellectual Property (2008)
- University of Sydney Debating Scholarship (2007, 2008)
- University of Sydney Entry Scholarship (2004)

ARTICLES

- 'Chief Justice of Australia? The Role of the Chief Justice of the High Court' (2009) 11 *Constitutional Law and Policy Review* 4 at 161
- 'Use of experiments in patent specifications for a hearsay purpose: Bristol-Myers Squibb Company v Apotex Pty Ltd (No 4)' (2013) 25 *Australian Intellectual Property Law Bulletin* 8 at 17