



**CURRICULUM VITAE
CYNTHIA LOUISE COCHRANE**

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Areas of Practice

Commercial	Banking, Competition, Contractual disputes, Insurance, Intellectual property, Restraint of trade
Appellate	Civil appeals

Date of Admissions

Barrister, NSW:	2005
Solicitor, NSW:	2002

Qualifications

LLB (Hons)	University of Melbourne	2001
BCom (Hons) (Finance)	University of Melbourne	1999

Overview

Ms Cochrane was called to the Sydney Bar in 2005 and specialises in high-profile patent cases and commercial cases. Ms Cochrane has addressed the Federal Court of Australia on important points of patent law, at trial and on appeal. Ms Cochrane appears unled and against Senior Counsel in highly contested interlocutory disputes, and has cross-examined at trial on credit and on specialist technical matters. Ms Cochrane appears in commercial trials in superior courts, unled and leading respected members of junior counsel.

In 2010, Ms Cochrane was recognised in Doyle's Guide as "professional and always well prepared" and "a standout on patent matters". In Chambers Asia-Pacific 2018 Ms Cochrane is recognised as having a diverse practice with an emphasis on patent matters and is described as "junior counsel of choice in the pharmaceutical patent area". Ms Cochrane worked previously for Allens (articled to the late Professor Bob Baxt AO), Bankers Trust (Capital Markets) and Macquarie Bank (Corporate Advisory).

Cases

See list of selected cases in separate document.

Other information

Cynthia Cochrane is responsible for preparing the following chapters of *Federal Litigation Precedents*, a companion volume to *Practice and Procedure High Court and Federal Court of Australia*: intellectual property; special leave; pleadings.

Cynthia Cochrane was a tutor in the 2018 and 2019 Bar Practice Course for the mock applications in the Local Court, District Court, Supreme Court and Federal Court.

Cynthia Cochrane was a judge in the mock trials in the 2017 Bar Practice Course.

Cynthia Cochrane was appointed for one year to a professional conduct committee of the NSW Bar Association, reporting to the NSW Bar Council.

Over a couple of years Ian Neil SC and Cynthia Cochrane presented in the Bar Practice Course on the subject of drafting affidavits and admissibility of evidence.

Memberships

Law Council of Australia

Intellectual Property Society of Australia and New Zealand

Banking and Financial Services Law Association

Company Law Discussion Group

Melbourne Cricket Club

Sydney Cricket Ground

Selected Publications

Intellectual Property

Cynthia Cochrane and Catherine Bembrick, "Admission to the Manner of

Manufacture Club – Patent Eligibility of Computer Implemented Business Methods”, Intellectual Property Forum, Journal of the Intellectual Society of Australia and New Zealand, June 2019 (forthcoming).

Lawyerly, “Bar Talk: Q&A with barrister Cynthia Cochrane”, 9 December 2018.

Cynthia Cochrane was a guest speaker on the Young Institute of Patent and Trade Mark Attorneys and IP Australia Discussion Panel – section 40 (Raising the Bar) in October 2018, together with hearing officers from IP Australia and patent attorneys.

Cynthia Cochrane and Catherine Bembrick facilitated a table topics session at the 31st IPSANZ Annual Conference in September 2017 entitled, “To Appeal or not to Appeal: Standard of Proof in Patent Oppositions and other Considerations”.

Cynthia Cochrane and Ben Mee, “Computer-Implemented Business Methods in the Online Environment: Potential Pitfalls”, Internet Law Bulletin, December 2016.

Cynthia Cochrane and Catherine Bembrick, “Has the Bar been Raised? Standard of Proof in Patent Opposition Proceedings”, Intellectual Property Forum, Journal of the Intellectual Society of Australia and New Zealand, December 2016.

Cynthia Cochrane and Ben Mee, “Patent Validity – Are Computer-Implemented Business Methods Patentable?”, Intellectual Property Forum, Journal of the Intellectual Society of Australia and New Zealand, September 2016.

Cynthia Cochrane and David Larish, “The Price of Milk in China: Parallel Exporting and its Implications under Australian Trade Mark Law”, Intellectual Property Forum, Journal of the Intellectual Society of Australia and New Zealand, September 2016

Cynthia Cochrane presented an Intellectual Property Master Class in relation to Patents and Trade Marks, Commercial Law Association, in March 2016, with the Hon Justice Jagot, Ms Kim O’Connell (KWM) and Thor North (HSF). The papers were published in Commercial Law Quarterly Vol 30 No 4 (Dec 2016 – Feb 2017).

Cynthia Cochrane, "Protection of Trade Mark Rights in a Global Economy" (2008), Presentation at NSW College of Law (Continuing Professional Education program)

Cynthia Cochrane, "Introduction to Patent Law" (2007), Presentation at NSW College of Law (Continuing Professional Education program)

Michael Dowling & Cynthia Cochrane, "High Court says Federal Court wrong on 'test for obviousness'" (2002), *Inhouse Counsel*, Vol 6 No 4 (LexisNexis)

Corporate Governance and Insolvency

Cynthia Cochrane presented a discussion paper in June 2016 at the Commercial Law Discussion Group, "The National Innovation and Science Agenda" - the Federal Government's proposed reforms to Australia's corporate insolvency laws, including providing a "safe harbour" for directors".

Cynthia Cochrane, "Duties and Obligations of Company Directors, Including in the Zone of Insolvency" (March 2010), Presentation to NSW College of Law (Continuing Professional Education program)

Banking – Fraudulent misappropriation

Cynthia Cochrane, "Law of Agency and Liability for Conversion of a Cheque" (2006), *Journal of Banking & Finance Law & Practice*.

Cynthia Cochrane, "Collection of Third Party Cheques and the Bank's Defence" (2005), *Journal of Banking & Finance Law & Practice*

Class Actions

Cynthia Cochrane, "Air cargo class action one to watch" (7 June 2013), *Australian Financial Review*.

Cynthia Cochrane, "Class actions: Too Pampered in the Federal Court?" (May 2013), *NSW Law Society Journal*.

Practice and Procedure

Cynthia Cochrane, "Amended pleadings take a hit - High Court's decision in Aon Risk Services Australia Ltd v ANU" (September 2009), Law Society Journal

Cynthia Cochrane, "Affidavit Evidence" (2010), Presentation at NSW College of Law (Continuing Professional Education program)

Competition and Trade Practices

Cynthia Cochrane, "Section 155 Notices - Avenues for Challenge" (2008), Presentation to NSW College of Law (Continuing Professional Education program)

Cynthia Cochrane, "Unconscionability under s 51AA of the Trade Practices Act: The Landscape Following *Berbatis* and its implication for the Banking Sector" (2005), Journal of Banking & Finance