



**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**

<b>Barrister, NSW:</b>	2005
<b>Solicitor, NSW:</b>	2002

**Qualifications**

<b>LLB (Hons)</b>	The University of Melbourne	2001
<b>BCom (Hons) (Finance)</b>	The University of Melbourne	1999

**Overview**

Cynthia worked for Bankers Trust and Macquarie Bank in Corporate Advisory. Cynthia began her legal career at Allens in 2001, where she was articled to Professor Bob Baxt AO. In 2005, Cynthia commenced practice at the Sydney Bar. Cynthia was described by Doyle's Guide to Leading Intellectual Property Barristers, in 2010, as "professional and always well prepared" and "a standout on patent matters" and has been recognised each year since then. Cynthia regularly appears unled, with a member of junior counsel, against Queen's Counsel or Senior Counsel. As well as appearing in the High Court, the Federal Court and the Patent Office, Cynthia appears in commercial matters in the Commercial List of the Supreme Court of NSW.

## **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 judge in the civil mini 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 will be facilitating a table topics session at the 31<sup>st</sup> 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