**Andrew Sykes - Selection of Recent Judgments and Decisions (from 2017 onwards)**

**Trade Marks & Passing Off – As Counsel**

* *Education Planet Pty Ltd v. Education Planet Global Pty Ltd* [2022] ATMO 206
* *Kenner Electrics Pty Ltd v. Wealth Trading Pty Ltd* [2022] ATMO 201
* *Wealth Trading Pty Ltd v. Kenner Electrics Pty Ltd* [2022] ATMO 200
* *Pinnacle Runway Pty Ltd Triangl Ltd* (No.4)[2022] FCA 1246
* *Re: BeerCo Ltd* [2022] ATMO 165
* *Re: Bass & Flinders Distillery Pty Ltd* [2022] ATMO 142
* *SMA Solar Technology AG v. Sunny Energy Australia Pty Ltd* [2022] ATMO 138
* *Idyll Wine Co Pty Ltd v. 1821 Wines Pty Ltd* [2022] ATMO 137
* *Futurity Pty Ltd v. Futurity Investment Group Pty Ltd* [2022] ATMO 129
* *Re: Mobile Skips (Australia) Pty Ltd* [2022] ATMO 124
* *Henley Arch Pty Ltd v. Henley Constructions Pty Ltd (No 3)* [2022] FCA 408 (Led by T Bannon SC)
* *Facebook Inc v. Romanoff Roman Borysovych* [2022] ATMO 53
* *Henley Arch Pty Ltd v. Henley Constructions Pty Ltd (No 2)* [2022] FCA 231 (Led by B Caine QC)
* *Grayson’s International Pty Ltd v. Petesal Enterprises Pty Ltd* [2022] ATMO 13
* *Mann Travel Pty Ltd v. Skyscanner Ltd (No.2)* [2022] FedCFamC2G 33
* *Grand River Enterprises Six Nations Ltd v. Aphria Inc* [2021] ATMO 155
* *Henley Arch Pty Ltd v. Henley Constructions Pty Ltd* [2021] FCA 1369 (Led by J Hennessy SC)
* *Mann Travel Pty Ltd v. Skyscanner Ltd* [2021] FedCFamC2G 263
* *David Edwards v. Samuel James John Perry* [2021] ATMO 124
* *THF Innovation Pty Ltd v. Caterpillar Inc* [2021] ATMO 80
* *The Grapevine BVBA v. Are Media Pty Ltd* [2021] ATMO 66
* *Australian Chiropractors Association Ltd v. Chiro Care Mattresses Pty Ltd* (2021) 162 IPR 580
* *REA Group Ltd v. Real Estate Store Pty Ltd* (2021) 162 IPR 517
* *Happy Skincare Pty Ltd ATF Breckell Family Trust v. Happy Skin Co Pty Ltd* (2021) 162 IPR 319
* *Clarendon Lawyers Pty Ltd v. Cornwalls Lawyers Pty Ltd* [2020] ATMO 192
* *Cohga Pty Ltd v. Google LLC* (2020) 162 IPR 127
* *Pinnacle Runway Pty Ltd v. Triangl Limited* (No.3) [2020] FCA 1379 (Led by T Cordiner QC)
* *Happy Skincare Pty Ltd ATF Breckell Family Trust v. Happy Skin Co Pty Ltd* (2020) 158 IPR 153
* *Victoria Beckham v. VB Skinlab Pty Ltd* (2020) 156 IPR 259 (also counsel for Ms Beckham in the resolved appeal)
* *Coffee Republic Australia Pty Ltd v. Espresso Republic LLC* (2020) 156 IPR 135
* *Murley Pty Ltd v. The Craft & Co Pty Ltd* [2020] ATMO 2
* *Swole Gym Wear Group Pty Ltd v. Swole O’Clock Ltd* [2019] FCA 685
* *Darwin Funeral Services Pty Ltd* [2019] ATMO 142
* *Pinnacle Runway Pty Ltd v. Triangl Limited* (No.2) (2019) 148 IPR 211 (Led by S Stuckey QC)
* *Ezy Auto Pty Ltd v. Ezyauto Pty Ltd* (2019) 151 IPR 47
* *Factory Direct Garage Doors Pty Ltd v. Starship Australia Pty Ltd* (2019) 147 IPR 149
* [*Paypal, Inc v Finpal Pty Ltd* [2018] ATMO 196 (10 December 2018)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2018/196.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO)
* [*Active Skin P/L v Yey P/L* (2018)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2018/194.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO) 145 IPR 499
* [*Agave Loco LLC v DZ Licores SLU* (2018)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2018/187.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO) 147 IPR 44
* [*Macy's Merchandising Group Inc v Sheertex Pty Ltd* (2018)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2018/135.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO) 149 IPR 33
* [*Swole Gym Wear Group Pty Ltd v Swole O'Clock Ltd* [2018] ATMO 129 (16 August 2018)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2018/129.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO)
* [*TWM Imports Pty Ltd v Hangzhou Great Star Industrial Co., Ltd* [2018] ATMO 61 (1 May 2018)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2018/61.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO)
* *[Council of the City of Shellharbour v Bright Events Pty Ltd](https://advance.lexis.com/search/?pdmfid=1201008&crid=b24c1a72-e7ed-4c4c-a467-4ad74a545b8a&pdsearchterms=136+ipr+401&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=1pcck&earg=pdpsf&prid=eab014e1-4ae4-4074-8f77-703ff1dec47c)* [(2018)](https://advance.lexis.com/search/?pdmfid=1201008&crid=b24c1a72-e7ed-4c4c-a467-4ad74a545b8a&pdsearchterms=136+ipr+401&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=1pcck&earg=pdpsf&prid=eab014e1-4ae4-4074-8f77-703ff1dec47c)[136 IPR 401](https://advance.lexis.com/search/?pdmfid=1201008&crid=b24c1a72-e7ed-4c4c-a467-4ad74a545b8a&pdsearchterms=136+ipr+401&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=1pcck&earg=pdpsf&prid=eab014e1-4ae4-4074-8f77-703ff1dec47c)
* [*Juno Pharmaceuticals Inc v Juno Therapeutics Inc* (2017) 132 IPR 107](https://advance.lexis.com/search/?pdmfid=1201008&crid=7bd02d8d-bc19-4848-af21-3aed8163ad5e&pdsearchterms=132+ipr+107&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=7g36k&earg=pdpsf&prid=694c5e2c-7d93-4c9d-abf6-54d028ce556e)
* [*Martin & Pleasance Wholesale Pty Ltd v Biz-Oz Pty Ltd* (2017) 132 IPR 450](https://advance.lexis.com/document/onecase/?pdmfid=1201008&crid=25f97776-d48e-44f3-a766-5d26192d2bc5&pddocfullpath=%2Fshared%2Fdocument%2Fcases-au%2Furn%3AcontentItem%3A5T33-SG91-F4W2-613X-00000-00&pdcontentcomponentid=267693&pdteaserkey=cr1&pdicsfeatureid=1517127&pditab=allpods&ecomp=1ymdk&earg=cr1&prid=4eb325c4-38fb-453c-8235-1e4ebb180651)
* *[Keune Haircosmetics Manufacturing BV v Guangzhou Hodm Professionals Cosmetics Co Ltd](https://advance.lexis.com/search/?pdmfid=1201008&crid=09dc657c-972d-450a-8fc2-8590f455f783&pdsearchterms=132+IPR+372&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=7g36k&earg=pdpsf&prid=25f97776-d48e-44f3-a766-5d26192d2bc5)* [(2017) 132 IPR 372](https://advance.lexis.com/search/?pdmfid=1201008&crid=09dc657c-972d-450a-8fc2-8590f455f783&pdsearchterms=132+IPR+372&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=7g36k&earg=pdpsf&prid=25f97776-d48e-44f3-a766-5d26192d2bc5)
* [*Nhon Hoa Nguyen v Aardwolf Australia Pty Ltd* (2017) 130 IPR 209](https://advance.lexis.com/search/?pdmfid=1201008&crid=2a5c9c75-cbb2-467a-9811-5164e5e54cd2&pdsearchterms=130+IPR+209&pdicsfeatureid=1517127&pdstartin=hlct%3A1%3A1&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdqttype=and&pdpsf=his%3A1%3A1&pdquerytemplateid=&ecomp=7g36k&earg=pdpsf&prid=09dc657c-972d-450a-8fc2-8590f455f783)
* [*Teka Industrial SA v Deka Australia Pty Ltd* [2017] ATMO 47 (24 May 2017)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2017/47.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO)
* [*Five V's Pty Ltd v La Gaia Pty Ltd* [2017] ATMO 31 (11 April 2017)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2017/31.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO)
* *Activated Carbon Technologies v. Carbon Activated Corp Australia Pty Ltd* (CI-18-02788)

**Other areas of intellectual property, technology and law – As Counsel**

* *Luvalot Clothing Pty Ltd v. Dong* [2022] FCA 1411 – Confidential Information, Restraint of Trade, Use of Social Media Applications
* *Zenith Payments Pty Ltd v. BPW Mysin Vadim Yurievich* (2021) WIPO Case No. D2021-3217 – Domain Names
* *Discovery Holiday Parks Pty Ltd v. Ed Keay-Smith, The Short Course Company Pty Ltd* (2021) WIPO Case No. DAU2021-0026 – Domain Names
* *DST Bluedoor Pty Ltd v. AMP Services Ltd (No.3)* [2021] VSC 665 (Led by S Stuckey QC) – Software, Restraint of Trade, Confidential Information
* *DST Bluedoor Pty Ltd v. AMP Services Ltd (No.2)* [2021] VSC 499 (Led by S Stuckey QC) – Software, Restraint of Trade, Confidential Information
* [*DST Bluedoor Pty Ltd v. AMP Services Ltd* [2020] VSC 254 (Led by S Stuckey QC)](http://www.austlii.edu.au/cgi-bin/viewdoc/au/cases/cth/ATMO/2017/31.html?context=1;query=%22Andrew%20Sykes%22;mask_path=au/cases/cth/ATMO) – Software, Restraint of Trade.
* *Guardian v. Kwong & Crockett* [2020] VCC 1391 – Computer Data, Confidential Information.
* *Adelaide Oval Hotel Pty Ltd and Anor v. Hines Property Asset Services Pty Ltd* (2020) WIPO Case No. DAU2020-0021 – Domain Names
* *Reflex Instruments Asia Pacific Pty Ltd v. Minnovare Limited* [2017] APO 8 – Patents

**Domain Names – As an International Arbitrator**

* *Boehringer Ingelheim Pharma GmbH & Co.KG v. Nguyen Ngoc Tu* (2022) CAC 104957
* *Atomic Austria GmbH v. Jgdfey Uget* (2022) CAC 104870
* *Arcelormittal (SA) v. Fastloc Inc* (2022) CAC 104705
* *NAOS v. JustinThe.com* (2022) CAC 104581
* *Schneider Electric SE v. Dong Sheng Huang* (2021) CAC 103894
* *Boehringer Ingelheim Animal Health France v. Distribution & Transportation* (2021) CAC 103794
* *Arcelormittal (SA) v. IT Depart* (2021) CAC 103739
* *O’Neill Brand S.a.r.l. v. Uwe Eisenhower* (2021) CAC 103594
* *Credit Agricole S.A. v. Sci Du Roncier* (2021) CAC 103497
* *Intesa Sanpaolo S.p.A. v. Carlo Cortese* (2020) CAC 103389
* *Novartis AG v. shenchaoyong* (2020) CAC 103326
* *Intesa Sanpaolo S.p.A. v. Roberta Esposito* (2020) CAC 103313
* *Boursorama SA v. Regolo Greece* (2020) CAC 103201
* *Boehringer Ingelheim Pharma GmbH & Co. KG v. Fundacion Comercio Electronico* (2020) CAC 103132
* *Victorian Ambulance Union v. Hall Payne Lawyers* (2020) AIAC/ADNDRC-809-2020
* *Intesa Sanpaolo S.p.A. v. Xavier Dylan* (2019) CAC 102599
* *Hugo Boss Trade Mark Management GmbH & Co. v. wang su qing* (2019) CAC 102514
* *Intesa Sanpaolo S.p.A. v. Coil services (Byron King)* (2019) CAC 102503
* *Acindar Industria Argentina De Aceros S.A. v. Sandeep Rangu* (2019) CAC 102400
* *Boursorama SA v An entity using the pseudonym ‘Technology Vavelle’* (2019) CAC 102331
* *RueDuCommerce v Jean-Louis Conte* (2018) CAC 102217
* *Amundi S.A v Milen Radmilo* (2018) CAC 102149
* *Sparco S.p.A v Grillstuff, LLC.* (2018) CAC 102055
* *ArcelorMittal SA v Rajkamal Gupta* (2018) CAC 101986
* *Boehringer Ingelheim Pharma GmbH & Co. KG v Pelres Investments Ltd* (2018) CAC 101965
* *Credit Mutuel Arkea v BeninWeb* (2018) CAC 101915
* *JCDECAUX SA v James White* (2018) CAC 101852
* *Phillip Plein v Chen JieQing* (2017) CAC 101748
* *Bollore v Wirelord* (2017) CAC 101689
* *Intesta Sanpaolo S.p.A v Giovanni Cusco* (2017) CAC 101603
* *Credit Agricole S.A v Thomas Horcholles* (2017) CAC 101523
* *Dorne WSBK Organization S.R.L v Sawebs Internet Solution* (2017) CAC 101461