

## Anthony Middleton



Anthony practises in all areas of commercial and public law.

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### QUALIFICATIONS

Bachelor of Arts (Mon)  
Bachelor of Commerce (Mon)  
Juris Doctor (Melb)

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Appellate | Class Actions | Competition | Consumer Law | Contractual Disputes | Regulatory Investigations

### INTELLECTUAL PROPERTY

Appellate | Confidential Information | Copyright & Designs | Information Technology | Media & Entertainment | Patents | Trade Marks

### TORT LAW

Appellate | Class Actions | Major Torts | Negligence | Product Liability

### PUBLIC LAW

Administrative Law | Appellate | Customs Law | Immigration | Judicial Review

Anthony is briefed in a variety of litigious matters (led and unled). This includes advising in matters involving breach of confidence and related rights; trade mark, copyright and patent infringement; consumer law breaches; and judicial and merits review in a number of different jurisdictions.

Before coming to the Bar, Anthony was an Associate at the Federal Court of Australia to the Honourable Justice Mark Moshinsky and the Honourable Justice Helen Rofe.

Prior to his time at the Federal Court, Anthony practised for four years as a solicitor at MinterEllison, predominantly working in the intellectual property team. Significant matters that Anthony worked on as a solicitor include instructing on the first patent repair case in *Seiko Epson Corporation v Calidad Pty Ltd* (at first instance and on appeal to the Full Federal Court) and instructing in the Federal Court proceedings of *Sanofi-Aventis Deutschland GmbH v Alphapharm Pty Ltd*, concerning a mechanical patent for an insulin injector pen.

Anthony holds a Bachelor of Arts and a Bachelor of Commerce from Monash University. He also gained a Juris Doctor from the University of Melbourne.

Anthony's recent matters at the Bar include:

*Australian Securities and Investments Commission v Darranda Pty Ltd (Liability)* [2024] FCA 1015 – regulatory hearing concerning obligations under the *National Consumer Credit Protection Act 2009* (Cth) (led by Bernard Quinn KC).

*Agility CIS Ltd v White* (Federal Court of Australia – ongoing) – proceeding concerning obligations of confidentiality in relation to software source code (led by Stephen Rebikoff SC).

*Perfect Day, Inc v Commissioner of Patents* (Federal Court of Australia – ongoing) – proceeding concerning sufficiency and support grounds of validity under the *Patents Act 1990* (Cth) in relation to a patent for synthetic milk products (led by Kate Beattie SC).

*Hugo Boss AG v Hardge* [2024] FCA 1325 – default judgment application concerning trade mark infringement, breach of the Australian Consumer Law and passing off (unled).

*Comité Interprofessionnel du Vin de Champagne v Network Nutrition Pty Ltd* [2024] FCA 780 – costs hearing following discontinuance of trade mark proceeding (led by Bruce Caine KC).

*Red Nose Limited v National Cancer Foundation Limited* [2024] ATMO 152 – trade mark opposition (led by Luke Merrick SC).

*BlackSquare Inc v CRACKA IP Pty Ltd* [2022] ATMO 168 – trade mark opposition (led by Tom Cordiner KC).

*VRBF and Minister for Immigration, Citizenship and Multicultural Affairs (Migration)* [2022] AATA 2732 – merits review of a cancellation decision made under s 501(1) of the *Migration Act 1958* (Cth) (unled).

Anthony read with Zoe Maud SC and his senior mentor is Tom Cordiner KC.

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