

## Tim Burn-Francis



Tim Burn-Francis practises in all areas of commercial litigation, with a particular focus on intellectual property, media and entertainment law.

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### QUALIFICATIONS

Juris Doctor  
University of Melbourne  
Bachelor of Commerce (Economics  
and Finance)  
University of Melbourne

### CORRESPONDENCE

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### CHAMBERS

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### COMMERCIAL LAW

Consumer Law | Contractual Disputes

### INTELLECTUAL PROPERTY

Appellate | Confidential Information | Copyright & Designs | Media & Entertainment | Privacy & Data  
Protection | Trade Marks

### TORT LAW

Defamation

Tim is briefed in a variety of complex commercial matters, including intellectual property disputes, opposition hearings, defamation proceedings, and contractual disputes. He has represented clients in the Federal Court of Australia, the Supreme Courts of Victoria and New South Wales, a confidential arbitration under the ACICA Rules and before IP Australia.

Prior to coming to the Bar, Tim was a solicitor at specialist intellectual property and entertainment firm, Simpsons, and worked in the intellectual property and trade mark prosecution teams at Herbert Smith Freehills. At both Simpsons and HSF, he acted on some of Australia's most recent high profile intellectual property and entertainment industry cases.

Tim holds a Juris Doctor and Bachelor of Commerce from the University of Melbourne.

Tim read with Peter Creighton-Selvay, and his senior mentor was Ed Heerey KC.

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## Recent Cases

### INTELLECTUAL PROPERTY AND MEDIA

*Somers Enterprises Australia Pty Ltd v Basefun Pty Ltd* [2025] FCA 218 - appeal from ATMO decision to partially remove trade mark registration for non-use (Federal Court, with S Ryan KC)

*Agility CIS v White & Ors* – alleged breach of confidence (Federal Court, with L Merrick KC)

*Fortrend Securities Pty Ltd v Wollermann & Ors* [2025] FCA 96; [2025] FCA 103 – alleged breaches of employment agreements and misuse of confidential information (Federal Court, with P Crutchfield KC and L Merrick SC).

*The Practice Pty Ltd v The Practice Business Advisers & Tax Practitioners Pty Ltd* [2024] FCA 1299 – trade mark infringement (Federal Court, unled).

*Training Services Australia Pty Ltd v Saferight Pty Ltd* – alleged copyright infringement (Supreme Court of Western Australia, with Ed Heerey KC).

*Progressive Green Pty Ltd v Flo Energy Australia Pty Ltd* – alleged trade mark infringement, cross-claim for cancellation of registered trade mark (Federal Court, with Ed Heerey KC).

*Village Roadshow IP Pty Ltd v VUR Village Trading No 1 Limited* – appeal from ATMO decision to partially remove trade mark registration for non-use (Federal Court, with L Merrick SC).

*United Petroleum Pty Ltd v OTR 328 Pty Ltd & Ors* – alleged groundless threats and claim for cancellation of registered trade mark, cross claim for trade mark infringement (Federal Court, with E Heerey KC).

*Courtney v Maguire; Maguire v Courtney* – defamation (County Court, with A Meagher).

Confidential arbitration under the ACICA Rules – breach of contract and alleged trade mark infringement (with T Cordiner KC and P Creighton-Selvay).

### COMMERCIAL LAW

*Satterley Pakenham Pty Ltd v Pakeast Holdings Pty Ltd* – application for mandatory injunction to execute certain

property mortgages (Supreme Court, with A Meagher).

*JV Short Term Loans Pty Ltd v Stublely Estate Pty Ltd & Ors* – application to enforce property mortgage and cross claim for ASIC Act unconscionable conduct (Supreme Court, with A Meagher).

#### OTHER

*Mountain Trail Engineering Pty Ltd v Foster* [2023] FCA 718 – application to vary interlocutory injunction (Federal Court, with P Wallis KC).

*FFP17 v Minister for Immigration, Citizenship And Multicultural Affairs & Anor* [2024] FedCFamC2G 279 – application for judicial review of a decision of the Immigration Assessment Authority (Federal Circuit Court, unled).

#### Memberships

Intellectual Property Society of Australia and New Zealand (IPSANZ).