

Curriculum Vitae

Name Hamish Paul Taylor Bevan

Address Nigel Bowen Chambers
Level 9, St James' Hall
169 Phillip Street
Sydney NSW 2000

Telephone 61 2 9930 7954

Facsimile 61 2 9233 2177

Email hptbevan@nigelbowen.com.au

Education Bachelor of Arts (Honours Class I) (English Literature)
University of Sydney
Conferred 4 March 1998

Bachelor of Laws (First Class Honours)
University of Sydney
Conferred 24 May 2002

Qualifications Admitted to Supreme Court of New South Wales
6 December 2002

Entered in the Register of Practitioners, High Court of Australia
15 April 2004

Practice May 2006 – Present
Barrister
Nigel Bowen Chambers

March 2004 – March 2006
Allens Arthur Robinson
Lawyer, Litigation and Dispute Resolution

February 2003 – February 2004
Associate to the Hon Justice A R Emmett
Federal Court of Australia

February 2002 – February 2003
PricewaterhouseCoopers Legal
Graduate Lawyer, Construction

Areas of practice

Intellectual Property / Trade Practices

Advice and Court work across all areas of Intellectual Property including Patents, Trade Marks, Copyright and Designs, together with passing off and the consumer protection provisions of the *Trade Practices Act 1974* (Cth) (now the Australian Consumer Law).

Selected decided cases include:

Patents

Beadcrete Pty Ltd v Fei Yu trading as Jewels 4 Pools (No 2) (2013) 100 IPR 188 (Jagot J) (currently on appeal to the Full Court)

DSI Australia (Holdings) Pty Ltd v Garford Pty Ltd (2013) 100 IPR 19 (Yates J) (currently on appeal to the Full Court)

Esco Corp v PAC Mining Pty Ltd (2008) 76 IPR 191 (Tamberlin J) and *PAC Mining Pty Ltd v Esco Corp* (2009) 80 IPR 1 (Full Court) and *Esco Corp v PAC Mining Pty Ltd* [2009] HCATrans 176 (High Court)

Memcor Australia Pty Ltd v GE Betzdearborn Canada Co (2009) 84 IPR 1 (Full Court)

Mont Adventure Equipment Pty Ltd v Phoenix Leisure Group Pty Ltd (2009) 175 FCR 575 (Full Court) (for the Institute of Patent and Trade Mark Attorneys as interveners)

Reckitt Benckiser Healthcare (UK) Ltd v GlaxoSmithKline Australia Pty Ltd [2013] FCA 583 and *(No 2)* [2013] FCA 736 (Rares J) and *GlaxoSmithKline Australia Pty Ltd v Reckitt Benckiser Healthcare (UK) Ltd* [2013] FCAFC 102 (Full Court)

Trade Marks

1-800-Flowers.Com, Inc v Registrar of Trade Marks (2012) 201 FCR 488 (Katzmann J)

Bavaria NV v Bayerischer Brauerbund eV (2009) 177 FCR 300 (Bennett J)

Hilton Hospitality Inc v Waldorf Australia Group Pty Ltd [2013] ATMO 22 (Office)

Mars Australia Pty Ltd v Sweet Rewards Pty Ltd (2009) 81 IPR 354 (Perram J) and (2009) 84 IPR 12 (Full Court)

Pioneer Computers Australia Pty Ltd v Pioneer KK (2009) 176 FCR 300 (Bennett J)

Q Dance Australia Pty Ltd v Avant Media Pty Ltd (2011) 93 IPR 282 (Office)

Viaguara SA v Pfizer Products Inc (2010) 86 IPR 643 (Office)

Copyright

Top Plus Pty Ltd v K Square Pty Ltd (No 2) [2010] FMCA 67; *(No 3)* [2010] FMCA 590, *(No 4)* [2010] FMCA 671 (Raphael FM)

Designs

Apple Inc v Samsung Electronics Co Ltd (NSD 308 of 2013) (Yates J) (judgment reserved)

Trade Practices / Australian Consumer Law

Luxottica Retail Australia Pty Ltd v Specsavers Pty Ltd (2010) 89 IPR 316 (Katzmann J)

Nick Scali Pty Ltd v Super A-Mart Pty Ltd (2010) 189 FCR 550 (Yates J)

Singtel Optus Pty Ltd v Vodafone Pty Ltd [2010] FCA 1448 (Nicholas J)

Specsavers Pty Ltd v The Optical Superstore Pty Ltd (No 3) (2012) 290 ALR 263; *(No 4)* [2012] FCA 652 (Katzmann J) and (2012) 208 FCR 78 (Full Court)

Commercial / Equity

Advice and Court work, including arbitrations, across a range of areas, such as Contracts, Building and Construction, Corporations, Real Property and Equity, including breach of confidence.

Selected decided cases include:

Bofinger v Kingsway Group Pty Ltd (2009) 239 CLR 269

Elecon Australia Pty Ltd v PIV Drives GmbH [2010] FCAFC 56 (Full Court)

Public and Administrative Law

Appearing in both the Federal Court and the Federal Circuit Court (previously the Federal Magistrates Court) for the Minister for Immigration and Citizenship and for applicants (pursuant to the Courts' referral schemes), in addition to general administrative law.

Selected decided cases include:

Defence Force Retirement and Death Benefits Authority v Mathews [2011] FCA 160 (Moore J)

Minister for Immigration and Citizenship v Toma (2011) 191 FCR 362 (Edmonds J)

Rawsthorne v Minister for Immigration and Citizenship [2012] FCA 1217 (Perram J) and [2013] FCAFC 30 (Full Court)

SZMGX v Minister for Immigration and Citizenship [2009] FCAFC 67 (Full Court)