

DAVID CATTERNS QC

Admitted to the Bar in 1978

Commenced Practice in 1980

Appointed Queens Counsel in 1992

Head of Chambers and one of the founding members of Nigel Bowen Chambers

Appearances High Court of Australia

Patents

D'Arcy v Myriad Genetics Inc [2015] HCA 35

AstraZeneca AB v Apotex Pty Ltd [2015] HCA 30

Apotex Pty Ltd v Sanofi-Aventis Australia Pty Ltd [2013] HCA 50

Lockwood Security Products Pty Ltd v Doric Products Pty Ltd (No 2) (2007) 235 CLR 173

Lockwood Security Products Pty Ltd v Doric Products Pty Ltd (2004) 217 CLR 274

Kimberly-Clark Australia Pty Ltd v Arico Trading International Pty Ltd (2001) 207 CLR 1

NV Phillips Gloeilampenfabrieken v Mirabella International Pty Ltd (1995) 183 CLR 655

Copyright

IceTV v Nine Network (2009) 239 CLR 458

Australian Tape Manufacturers Association Ltd v Commonwealth of Australia (1993) 176 CLR 480

Copyright Agency Limited v State of NSW (2008) 233 CLR 279

APRA v Telstra (1997) 38 IPR 294; 191 CLR 140

Trade Marks/Passing Off/Misleading Conduct

Nike International Ltd v Campomar Sociedad, Limitada (1996) 35 IPR 385

Designs

K-Aire v Polyaire (2007) 74 IPR 460

Administrative Law

Australian Broadcasting Tribunal v Bond Corp Holdings Pty Ltd (1989) 86 ALR 424

Selected Recent Appearances Full Federal Court

Commissioner of Patents v RPL Central Pty Ltd [2015] FCAFC 177

Research Affiliates LLC v Commissioner of Patents (2014) 109 IPR 364

Les Laboratoires Servier v Apotex Pty Ltd [2016] FCAFC 27

Lynx Engineering Consultants Pty Ltd v The Pilbara Infrastructure Pty Ltd [2016] FCAFC 19

Roadshow Films Pty Ltd v iiNet Ltd (2011) 89 IPR 1

Sanofi-Aventis Australia Pty Ltd v Apotex Pty Ltd (2010) FCA 601

Bitech Engineering v Garth Living Pty Ltd (2010) 86 IPR 1

Smith & Nephew Pty Ltd v Wake Forest University Health Sciences [2009] FCAFC 142

Apotex Pty Ltd Sanofi-Aventis [2009] FCAFC 134

H Lundbeck v Alphapharm Pty Ltd (2009) 81 IPR 228

Hansen Beverages Co v Bickfords (Australia) Pty Ltd (2008) 75 IPR 505

Merck & Co Inc v Arrow Pharmaceuticals Ltd (2006) 68 IPR 511

Conor Medsystems v University of British Columbia (2005) 223 ALR 74

Fresenius Medical Care v Gambro Pty Ltd (2000) 49 IPR 3

Selected Recent Appearances in Federal Court

Gilead Sciences Pty Ltd v Idenix Pharmaceuticals LLC [2016] FCA 169

Danisco A/S v Novozymes A/S [2011] FCA 282

Albany Molecular Research Inc v Alphapharm Pty Ltd (2011) FCA 120

Fairfax Media Publications Pty Ltd v Reed International Books Australia Pty Ltd
(2010) 189 FCR 109

Optical 88 Ltd v Optical 88 Pty Ltd [2010] FCA 310

Peter Bodum v DKSH Australia Pty Ltd (2010) FCA 456

Arbitron Inc v Telecontrol Aktiengesellschaft (2010) 86 IPR 110

Abbott GMBG & Co v Apotex Pty Ltd (2009) 83 IPR 373

Wimmera Industrial Minerals Pty Ltd v RGC Mineral Sands Ltd (1999) 46 IPR 173

Publications and Papers

Consulting Editor Federal Court Reports

Numerous papers to IP societies including IPSANZ and Copyright Society of Australia and various professional bodies in Australia and New Zealand.