

Joe Petry

Barrister-at-law, Nigel Bowen Chambers

Practice Overview

Joe is presently one of the counsel assisting the Royal Commission into Antisemitism and Social Cohesion, called after the attack at Bondi Beach on 14 December 2025. He accepts briefs in all areas of law. He focuses particularly on commercial and common law matters (including urgent injunction applications), media, intellectual property, and all areas of public law.

Admissions

Barrister	2024
High Court of Australia	2018
Supreme Court of NSW	2018

Education

Master of Laws London School of Economics and Political Science	2023
<i>Major papers: <u>'Secret Evidence and Special Advocates: Australia on the Precipice'</u> <u>'Should It Be Harder For Politicians To Sue For Defamation?'</u></i>	
Bachelor of Laws (Honours Class I) University of Newcastle	2017
<i>Prizes for top marks: <u>Public International Law</u> and <u>Mining Law</u></i>	
Bachelor of Communication (Journalism, with Distinction) University of Newcastle	2015

Professional Experience

Australian Government Solicitor	Senior Lawyer	2020-24
Federal Court of Australia	Associate to Hon. Justice Burley	2019-20
Office of the Director of Public Prosecutions	Solicitor	2018-19
William Roberts Lawyers	Solicitor	2018

Selected Cases as Barrister

Commercial and common law

Led

Munro v Wheeler (No 3) [2025] NSWDC 3 (**defamation, freezing orders**): for second defendant in trial about a stolen dog and related social media posts. Separate application for freezing orders post-judgment. Led by P Larkin SC

Ferguson v ACT Integrity Commission (No 2) [2025] ACTSC 380 (**human rights, torts, judicial review, urgent injunction**): for respondent resisting orders preventing inspection of phone seized during corruption inquiry. Led by B Kaplan

BCY25 v Cth; BKN25 v Cth (FCA, ongoing) (**torts, constitutional law**): for respondent, defending allegations of false imprisonment. Led by P Knowles SC and T Liu

<i>Kuster v Cth</i> (FCA, subject to temporary stay) (torts, constitutional law): for respondent.	Led by S Lloyd SC and M Sherman
<i>Endeavour Energy Network Management v CEPU</i> (FCA, subject to temporary stay) (declaratory relief, construction of union rules): for respondent.	Led by J Emmett SC
<i>Dyson Technology v SharkNinja</i> (FCA, settled) (patents): for respondent, alleging invalidity of patent concerning hair dryer technology.	Led by P Flynn SC
<i>Assignar v Varicon</i> (FCA, consent outcome) (copyright, preliminary discovery): for respondent, defending allegations of copyright infringement of software and associated claims in contract.	Led by H Bevan SC
<i>Momo IP v Nissin Foods</i> (FCA, settled) (Trade marks): for respondent, appeal from decision of Registrar of Trade Marks allowing registration of “Momufuku”.	Led by M Evetts
<i>Sunny International Hardware Group v Sunny Group (VIC)</i> (FCA, settled) (Trade marks, ACL): for respondent.	Led by J Ambikapathy
<i>Borambola Wines Pty Ltd v The DOTT Developments Pty Ltd</i> [2025] ATMO 218 (Trade mark opposition): for applicant, for “Dog on the Tuckerbox” trade marks.	Led by E Heerey SC

Unled

Mosolini v Betyounan; Betyounan v Mosolini (NSWSC, ongoing) (**defamation, contempt of court**): for plaintiff in contempt of court motion, for defendant in defamation proceeding.

Gonzalez v Turton (NSWDC, ongoing) (**contracts, equity**): for respondents in dispute in respect of a commercial lease.

Bish v Dexter (NSWLC, settled) (**contracts, torts**): acting for commercial truck driver in breach of contract and negligence claim against mechanic.

CDB Goldair Australia Pty Ltd v SharkNinja Operating LLC [2025] APO 35 (**patent opposition**): for patent applicant, applying for extension of time to file evidence.

Public law, criminal law and inquiries

Led

Counsel assisting the Royal Commission on Antisemitism and Social Cohesion	Led by R Lancaster SC, Z Heger SC, T Phillips and E Jones
<i>NDIA v Warwick</i> (2025) 311 FCR 19; FCAFC 100 (appellate): appeal concerning statutory construction and nature of appellate jurisdiction.	Led by T Liu
<i>A-G (Cth) v Benbrika</i> [2025] VSC 83 (PII, suppression orders): for the Director-General of Security in respect of issues arising in application under Div 105A of the <i>Criminal Code</i> .	Led by T Glover SC

Zahed, Abdul v R [2025] NSWCCA 24 (**appeal against sentence**): for offender in appeal from sentence.

Led by M Thangaraj SC

R v Achrafi; R v Zakaria (No 2) [2026] NSWSC 166 (**PII, permanent stay**): for several Cth agencies making PII and privilege claims in context of accused's application for a permanent stay of prosecution for murder.

Led by R Ranken SC

Unled

A-G (Cth) v Benbrika (No 2) [2025] VSC 223 (**PII, suppression orders**): for the Director-General of Security in respect of issues arising in application under Div 105A of the *Criminal Code*.

Whaley v Attorney-General [2025] FCA 1657 (**judicial review**): for respondent defending decision to refuse parole.

SZOEV v Minister for Immigration and Citizenship [2025] FedCFamC2G 2115 (**migration, judicial review**): for applicants in review of decision to refuse them protection visas.

Akouch v Minister for Immigration and Multicultural Affairs [2026] FedCFamC2G 138 (**migration, judicial review**): for Minister in review of decision to refuse a carer visa.

R v Pitt (No 1) (unreported) (**PII, setting aside subpoena**): for the Commissioner of the AFP. Accused charged with conspiracy to import commercial quantity of border controlled drug.

Norkin v Comptroller-General of Customs (FCFCOA, ongoing) (**judicial review**): for respondent in review of decision to take and hold electronic devices for examination under s 186 of the *Customs Act*.

Suktarachan v Commissioner of Patents (ART, ongoing) (**merits review, expiry of patent application**): for respondent.

Joe has also appeared and advised in criminal matters, and criminal-adjacent matters, instructed by the CDPP, the AGS and the CSO.

Other

Reporter for the NSW Law Reports

2026

Executive Secretary of the Australian Dispute Resolution Advisory Council

2020-2021

Professional Memberships

NSW Bar Association

Communications and Media Law Association

Australian Association of Constitutional Law

Australian Institute of Administrative Law

Intellectual Property Society of Australia and New Zealand

Selected Cases as Solicitor at AGS

Patents

- ***Commissioner of Patents v Thaler (2022) 289 FCR 45***: whether an artificial intelligence can be an “inventor” for the purpose of the *Patents Act*. Instructed S Goddard SC and H Bevan SC.
- ***Commissioner of Patents v Ono Pharmaceutical Co. Ltd (2022) 291 FCR 1; Merck Sharp & Dohme Corp. v Sandoz Pty Ltd (2022) 291 FCR 26***: two cases about the proper construction of the pharmaceutical patent term extension scheme. Instructed C Moore SC and F Roughley.
- ***Repipe Pty Ltd v Commissioner of Patents (2021) 164 IPR 1; Repipe Pty Ltd v Commissioner of Patents [2022] HCATrans 084***: manner of manufacture. Instructed C Dimitriadis SC and M Evetts.
- ***Airco Fasteners Pty Ltd v Commissioner of Patents [2021] FCA 1594***: the Commissioner successfully opposed applications for judicial review of, and an out of time appeal from, the Commissioner’s decision to allow amendments. Instructed L Thomas.
- ***Advanta Seeds Pty Ltd v Commissioner of Patents & Anor (AAT)***: merits review of the Commissioner’s decision to refuse an extension of time to pay patent renewal fees.
- ***Dei Gratia v Commissioner of Patents (2024, judgment reserved)***: manner of manufacture case – patent claiming logistics method. Instructed C Dimitriadis SC and M Evetts.

Public law

- ***Minister for Home Affairs v Pender [2021] NSWSC 1644***: first continuing detention order application in NSW under the Criminal Code. Instructed P Herzfeld SC, Z Heger and C Ernst.
- ***R v Duong (Magistrates’ Court of Victoria, unreported)***: first prosecution for foreign interference offence under Div 92 of the Criminal Code. Acted for the Director-General of Security in setting aside subpoena and making PII claims. Instructed R Sharp.
- ***R v Collaery (Supreme Court of ACT, discontinued)***: application of the *National Security Information Act 2004* (Cth) to the prosecution. Instructed J Kirk SC and T Glover in hearing concerning AG’s proposed reliance on court-only evidence.
- ***R v Campbell (District Court of NSW, unreported)***: criminal drug trial. Acted for the AFP in setting aside subpoenas. Instructed R Bhalla.
- ***Alexander Abramov v Minister for Foreign Affairs (No 2) [2023] FCA 1099***: judicial review of Minister’s decision to sanction a Russian billionaire. Briefed P Herzfeld SC and B Lim.
- ***R v Savage (District Court of NSW, ongoing)***: prosecution for foreign bribery under the Criminal Code. Acted for the AFP at s 82 hearing and in response to subpoena. Instructed P Melican.