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BARRISTERS

Amy Surkis



Amy Surkis is an experienced intellectual property litigator with over 12 years' experience.

QUALIFICATIONS

Bachelor of Laws (First Class Hons) (Mon)
Bachelor of Science (Molecular Biology and Biochemistry)

CORRESPONDENCE

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CHAMBERS

Emmerson Chambers
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Melbourne VIC 3000

COMMERCIAL LAW

Consumer Law | Contractual Disputes

INTELLECTUAL PROPERTY

Appellate | Confidential Information | Copyright & Designs | Patents | Trade Marks

Prior to joining the Bar, Amy was a Senior Associate in MinterEllison's disputes resolution team.

Amy's practice encompasses all forms of intellectual property. Amy has particular expertise in Federal Court patent and trade mark litigation as well as patent and trade mark prosecution and oppositions. Amy also provides advice to clients on protecting and enforcing their intellectual property rights, including copyright, trade marks, designs and patents.

She has been recognised by *Doyle's Guide* (2022, 2023, 2024, 2025, 2026) and Legal 500 (2025, 2026).

Amy graduated from Monash University with a Bachelor of Laws (first class honours) and Bachelor of Science (Molecular Biology and Biochemistry).

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Recent Cases

PATENTS AND DESIGNS

CQMS v ESCO – opposition to application to amend claims (APO, with Peter Creighton-Selvay).

Design Ideas v Sales Force National – alleged patent infringement (Federal Court, with Ian Horak KC).

Allied Pumps v UON – alleged patent infringement and cross-claim for invalidity (Federal Court, with Anthony Bannon SC, Tom Cordiner KC and Megan Evetts).

Fonterra v A2 Milk Company – opposition to application for patent (APO).

Australian Keg Company v Total Animal Supplies – alleged patent infringement and trade mark infringement (Federal Court, with Peter Creighton-Selvay).

CQMS v ESCO – oppositions to four patent applications (heard separately) (APO, with Peter Creighton-Selvay).

Justin Corke v Muses Ceramics Australia – alleged design infringement (Federal Court, with Peter Creighton-Selvay).

Ferroglobe Innovation v Anteotech – alleged breach of contract, breach of confidence, breach of fiduciary duty and entitlement dispute in relation to various patent applications (Federal Court with Patrick Flynn SC and David Larish).

Earthtrack group v Moma Products – application for non-infringement declaration (Federal Court).

Rock Solid Industries International v Armorman 4x4 – alleged design infringement (Federal Court).

Scidera v Meat and Livestock Australia – alleged patent infringement (Federal Court).

Dyson Technology v SharkNinja – alleged patent infringement and cross-claim for invalidity (Federal Court, with Patrick Flynn SC).

CQMS v Hensley Industries – opposition to patent application (APO).

UON v Indian Ocean Engineering – oppositions to two patent applications (heard together) (APO).

TRADE MARKS, PASSING OFF AND CONSUMER PROTECTION

Skydive Holdings v Blue Sky Adventures – alleged trade mark infringement, misleading or deceptive conduct and passing off (Federal Court, with Siobhan Ryan KC).

Darryl Davis Seminars v Sherrie Storor – alleged trade mark infringement, misleading or deceptive conduct and passing off (Federal Court, with Peter Creighton-Selvay).

Koa Sports v Kennedy - alleged trade mark infringement, misleading or deceptive conduct and passing off (Federal Circuit Court).

Zeally Bay Sourdough – application to register "Zeally Bay Sourdough" as trade mark (ATMO).

National Cancer Foundation v Registrar of Trade Marks – application to intervene in appeal from ATMO decision to revoke "Brown Nose Day" trade mark (Federal Court).

Our Community – application to register "Institute of Community Directors Australia" and "Our Community" (ATMO).

Need v Looselabel – alleged breach of contract, copyright infringement and trade mark infringement (County Court, with Clare Cunliffe).

United Petroleum v OTR 328 – alleged trade mark infringement, misleading or deceptive conduct and passing off (Federal Court, with Luke Merrick SC).

National Cancer Foundation v Red Nose – application for removal for non-use in relation to nine trade mark registrations (ATMO, with Edward Heerey KC).

National Cancer Foundation v Red Nose – opposition to registration of "Brown Nose Month" trade mark (ATMO, with Edward Heerey KC).

Memberships

Intellectual Property Society of Australia and New Zealand (IPSANZ)