

## Tim Burn-Francis



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

---

### QUALIFICATIONS

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

### CORRESPONDENCE

P +61 3 9225 8558  
E [tburnfrancis@vicbar.com.au](mailto:tburnfrancis@vicbar.com.au)

### CHAMBERS

Owen Dixon Chambers West  
Level 18 Room 01  
525 Lonsdale Street  
Melbourne VIC 3000

---

### COMMERCIAL LAW

Banking & Finance | Class Actions | Commercial Arbitration | Consumer Law | Contractual Disputes | Equity & Trusts

### EMPLOYMENT & INDUSTRIAL

Confidential Information | Restraint of Trade

### INTELLECTUAL PROPERTY

Confidential Information | Copyright & Designs | Information Technology | Media & Entertainment | Patents | Trade Marks

Tim is briefed in a variety of intellectual property disputes across the full spectrum of IP rights and complex commercial matters, including breach of confidence claims, trust and shareholder disputes and contractual matters. He has represented clients in the Federal Court of Australia, the Supreme Courts of Victoria, New South Wales, Tasmania and Western Australia, in 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.

*Liability limited by a scheme approved under the Professional Standards Legislation*

## Recent Cases

### INTELLECTUAL PROPERTY

*Progressive Green Pty Ltd v Flo Energy Australia Pty Ltd* [2025] FCA 1315 – alleged trade mark infringement, cross-claim for cancellation of registered trade mark (Federal Court, with Ed Heerey KC).

*National Cancer Foundation v Registrar of Trade Marks* [2025] FCA 711 – appeal from decision of Registrar to revoke trade mark registration of under s 84A (Federal Court, with L Merrick KC)

*Somers Enterprises Australia Pty Ltd v Basefun Pty Ltd* [2025] FCA 218 – application for removal trade mark registration for non-use (Federal Court, with S Ryan KC)

*Training Services Australia Pty Ltd v Saferight Pty Ltd* [2025] WASC 7 – alleged copyright infringement (Supreme Court of Western Australia, with E Heerey KC).

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

*Village Roadshow IP Pty Ltd v VUR Village Trading No 1 Limited* [2025] FCA 428 – application to remove trade mark registration for non-use (Federal Court, with T Cordiner KC).

*Bus IP Holdings Pty Ltd v Enduroco Pty Ltd* – appeal from decision of the Commissioner of Patents (Federal Court, with T Cordiner KC)

*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).

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

*Puma SE v Pumas-AI Inc* [2026] ATMO 32 – removal for non-use (ATMO, unled)

*Wheel Pros, LLC v Mark Boxer the trustee for the Hoon Media Trust* [2025] ATMO 262 – removal for non-use (ATMO, unled)

**COMMERCIAL AND CORPORATIONS LAW**

*National Hearing Centres v Gupta* [2025] VSC 528 – alleged breach of confidence and employment agreements (Supreme Court of Victoria, with R Preston)

*Fortrend Securities Pty Ltd v Wollermann & Ors* [2025] FCA 96; [2025] FCA 103; [2025] FCA 444 – alleged breaches of employment agreements and misuse of confidential information (Federal Court, with P Crutchfield KC and L Merrick KC).

*Courtney v Maguire; Maguire v Courtney* [2023] VCC 1626, [2023] VCC 2280, [2024] VCC 982 – defamation (County Court, with A Meagher SC).

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

*Re Care Integrity* – alleged oppression and breaches of statutory and fiduciary duties (Supreme Court of Victoria, unled)

*Satterley Pakenham Pty Ltd v Pakeast Holdings Pty Ltd* – application for mandatory injunction to execute certain property mortgages (Supreme Court, with A Meagher SC).

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

**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).