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BARRISTERS

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

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CHAMBERS

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COMMERCIAL LAW

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

EMPLOYMENT & INDUSTRIAL

Confidential Information | Restraint of Trade

INTELLECTUAL PROPERTY

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

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 SC, 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).

Registrar of Trade Marks v National Cancer Foundation [2026] FCAFC 95; [2025] FCA 711 – revocation of trade mark registration of under s 84A (Federal Court and Full 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).

Jones Tulloch Pty Ltd v Loam Bio Pty Ltd [2026] APO 25 – opposition to patent application concerning methods for increasing soil organic carbon and sequestering atmospheric carbon (APO, unled)

Ashley Meyer and Carol Meyer v Premier Fresh Australia Pty Ltd [2026] ATMO 169 – opposition to trade mark

application (ATMO, unled)

PUMA SE v Pumas-AI Inc. [2026] ATMO 168 – opposition to trade mark application (ATMO, unled)

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)

Mark Boxer v Wheel Pros LLC [2026] ATMO 44 – opposition to trade mark application (ATMO, unled)

Lenovo PC International Limited & ors v Boston Limited [2026] ATMO 104 – opposition to trade mark application (ATMO, unled)

Medirecruit Australia Pty Ltd v Medenterprises Services Limited [2025] ATMO 88 (ATMO, with E Heerey KC)

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 [2026] FCA 984 – 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 Stubley Estate Pty Ltd & Ors – application to enforce property mortgage and cross claim for ASIC Act unconscionable conduct (Supreme Court, with A Meagher SC).

The Florey Institute of Neuroscience and Mental Health v Dr Tran [2026] VSC 440 – discovery and inspection (Supreme Court, unled)

University of New England v Boerner [2026] FCA 1107 – stay of proceedings for breach of exclusive jurisdiction clause; [2025] FCA 368 – costs of preliminary discovery application (Federal Court, with T Cordiner KC)

Fortrend Securities Pty Ltd v Wollermann [2026] FCA 660 – stay application (Federal Court, with S Rosewarne KC)

Fortrend Securities Pty Ltd v Wollermann [2026] FCA 290 – set aside statutory demand (Federal Court, with L Merrick KC)

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)