

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

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 AND MEDIA

Somers Enterprises Australia Pty Ltd v Basefun Pty Ltd [2025] FCA 218 - appeal from ATMO decision to partially remove trade mark registration for non-use (Federal Court, with S Ryan KC)

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

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

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

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

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

Village Roadshow IP Pty Ltd v VUR Village Trading No 1 Limited [2025] FCA 428 – appeal from ATMO decision to partially remove trade mark registration for non-use (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).

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

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

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

COMMERCIAL LAW

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

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

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).