

## Peter Wallis KC



Peter Wallis KC practises primarily in general commercial law, class actions, intellectual property and competition law

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### QUALIFICATIONS

Bachelor of Economics  
Bachelor of Laws (Hons) (Mon)  
Master of Laws (Intellectual  
Property) (Melb)

### CORRESPONDENCE

**P** 03 9225 8558  
**F** 03 9225 7989  
**E** [peter.wallis@vicbar.com.au](mailto:peter.wallis@vicbar.com.au)

### CHAMBERS

Emmerson Chambers  
Level 18 Room 3  
200 Queen Street  
Melbourne VIC 3000

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### COMMERCIAL LAW

Appellate | Class Actions | Competition | Consumer Law | Contractual Disputes | Corporate Insolvency | Corporations & Securities

### INTELLECTUAL PROPERTY

Appellate | Confidential Information | Copyright & Designs | Trade Marks

### TORT LAW

Appellate | Class Actions | Negligence | Product Liability | Professional Negligence

Peter joined the bar in 2004 and was appointed Senior Counsel in 2020. In his time at the bar he has developed an extensive practice in commercial litigation with particular expertise in intellectual property, contractual disputes, competition law and class actions.

Peter appears regularly in the Supreme and County Courts of Victoria and the Federal Court of Australia and has also appeared in cases in superior courts in New South Wales, Queensland and Western Australia.

Peter has appeared for a range of large corporate clients, including Coca Cola Company, Ford Motor Company, Aristocrat Leisure, Monash University, Victoria University of Technology, BetEasy, Philip Morris, Jim's Mowing, Dennis Family Homes, Southcorp Brands, Good Guys, Rockwell Collins, Sirtex Medical, Aspen Pharmacare, Ausnet Services and Centro Retail. Peter has also appeared many times on behalf of the ACCC.

Peter was recently recognized in Doyle's Guide - Leading Victorian Intellectual Property & Technology, Media and Telecommunication Law Senior Counsel Rankings for 2021.

Prior to joining the Bar, Peter was a Senior Associate at Allens Arthur Robinson, where he specialised in intellectual property, commercial litigation and competition law. He read with Stewart Anderson (now Justice Anderson of the Federal Court) and his senior mentor was John Middleton (now Justice Middleton of the Federal Court).

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## Recent Cases

### COMMERCIAL LAW

*Euromark Ltd v Smash Enterprises Pty Ltd* [2019] VSC 299

*Gagliardi v KP Hicks Real Estate Pty Ltd (No 2)* [2018] VCC 1280

*Gagliardi v KP Hicks Real Estate Pty Ltd* [2018] VCC 745

*Asahi Beverages Pty Ltd v RFGA Management Pty Ltd* [2018] VSC 606

*Guy v Crown Melbourne Limited (No. 2)* (2018) 355 ALR 420

*Ford Motor Co of Australia Ltd v Tallevine Pty Ltd* [2017] NSWSC 1703

*Cornerstone Hardware Brokers (Australia) Ptd Ltd v Methven Australia Pty Ltd* [2015] VSCA 128

*Moama Bowling Club Ltd v The Thomson Group Pty Ltd* [2014] VSCA 245

*Moama Bowling Club Ltd v The Thomson Group Pty Ltd* [2013] VSC 744

*Cornerstone Hardware Brokers (Australia) Pty Ltd v Methven Australia Pty Ltd* (2014) VCC 945

*Austco Enterprises Pty Ltd v Tanduna Pty Ltd* [2012] VCC 38

*Re Style Ltd; Merim Pty Ltd v Style Ltd* (2009) 255 ALR 63

*Body Corporate No. 413424R v Sheppard* (2008) 20 VR 362

*Cadbury Schweppes Pty Ltd v Amcor Ltd (No. 3)* [2008] FCA 1668

*Body Corporate No 413424R v Sheppard* [2007] VSC 179

*Victoria University of Technology v Wilson* (2006) 68 IPR 597

*Thomopoulos v Faulks* [2006] VSC 262

*Youssef v Victoria University of Technology* [2005] VSC 223

#### CLASS ACTIONS

*Kuterba v Sirtex Medical Ltd (No 3)* [2019] FCA 1374

*Kuterba v Sirtex Medical Ltd* [2018] FCA 1467

*Liesfield v AusNet Services (Murrindindi bushfire class action, briefed on behalf of AusNet Services)*

*Collin v Aspen Pharmacare Australia Pty Ltd (No 2) (2013) FCA 1336 (pharmaceutical class action briefed on behalf of Aspen Pharmacare)*

*Kirby v Centro Retail Ltd (No 6) [2012] FCA 650 (shareholder class action briefed on behalf of Centro)*

*Re Opes Prime Stockbroking Ltd (in Liq)* (2009) 258 ALR 362

#### INTELLECTUAL PROPERTY

*Urban Alley Brewery Pty Ltd v La Sirene Pty Ltd* [2020] FCAFC 186

*Urban Alley Pty Ltd v La Sirene Pty Ltd (No.2)* [2020] FCA 351

*Urban Alley Brewery Pty Ltd v La Sirene Pty Ltd* [2020] FCA 82

*Sportsbet Pty Ltd v Crownbet Pty Ltd* [2018] FCA 1045

*Carlisle Homes Pty Ltd v Tick Homes Pty Ltd (2018)* 134 IPR 118

*Inspire by Sophie Guidolin Pty Ltd v Finch Entertainment Pty Ltd* [2017] FCA 1618

*Coca Cola Company v PepsiCo Inc (No. 2)* [2014] FCA 1287

*Placitum Pty Ltd and Jim's Group Pty LLM v Andreotta* [2014] FCA 726

*JT International SA v Commonwealth of Australia* [2012] HCA 43

*Attachmate Ltd v Commonwealth of Australia (Department of Defence)* (Federal Court and Copyright Tribunal of Australia)

*Acohs Pty Ltd v Ucorp Pty Ltd* [2012] FCAFC 16

*Manderson M&F Consulting v Incitec Pivot Ltd* [2011] VSCA 444

*Barrett Property Group Pty Ltd v Dennis Family Homes Pty Ltd (No. 2)* [2011] FCA 276

*Barrett Property Group Pty Ltd v Dennis Family Homes Pty Ltd* [2011] FCA 246

*MMFC v Incitec Pivot Ltd* [2010] VSC 63

*Acohs Pty Ltd v Ucorp Pty Ltd* [2010] FCA 577

*Althaus v Australia Meat Holdings Pty Ltd* [2009] QSC 5

*Acohs Pty Ltd v Ucorp Pty Ltd* [2009] FCA 577

*Spatialinfo Pty Ltd v Telstra Corporation Ltd* [2006] FCA 950

*MG Distribution Pty Ltd v Khan (No. 2)* (2006) 234 ALR 739

*Acohs Pty Ltd v Ucorp Pty Ltd* (2006) 236 ALR 143

*MG Distribution Pty Ltd v Khan* (2006) 230 ALR 352

*MG Distribution Pty Ltd v Khan* [2005] FMCA 500

*MG Distribution Pty Ltd v Luthra* [2004] FMCA 1027

#### TRADE MARKS OFFICE

*Iconic Hotels Group Pty Ltd v Geocon Distributions Pty Ltd* [2020] ATMO 194 (Opposition)

*B Seppelt & Sons Ltd v Blaxland Vineyards Limited* [2014] ATMO 88 (Opposition)

*BilyaraVinyards Pty Ltd v Guorong Xu* [2014] ATMO 56 (Opposition)

*Southcorp Brands Pty Ltd v CAN Industries Pty Ltd* [2014] ATMO 27 (Opposition)

*Vina Concha Y Toro SA v Southcorp Brands Pty Ltd* [2012] ATMO 107 (Opposition)

#### COMPETITION LAW

*Director of Consumer Affairs Victoria v Good Guys (Australia) Pty Ltd* (2016) 334 ALR 600

*Australian Competition and Consumer Commission (ACCC) v Taxsmart Group Pty Ltd* [2014] FCA 487

*Australian Consumer and Competition Commission (ACCC) v HP Superstore Pty Ltd* [2013] FCA 1317

*Australian Consumer and Competition Commission (ACCC) v Launceston Superstore Pty Ltd* [2013] FCA 1315

*Australian Consumer and Competition Commission (ACCC) v Moonah Superstore Pty Ltd* [2013] FCA 1314

*Australian Consumer and Competition Commission (ACCC) v Salecomp Pty Ltd* [2013] FCA 1316

*Australian Competition and Consumer Commission v Neighbourhood Energy* [2012] FCA 1357

*Australian Competition and Consumer Commission v Hercules Iron Pty Ltd* [2008] FCA 1182

*Jefferson Ford Pty Ltd v Ford Motor Company of Australia Ltd* (2008) 246 ALR 465

*Ford Motor Company of Australia Limited v Jefferson Ford Pty Ltd* [2007] FCA 998

*Australian Competition and Consumer Commission v Visy Industries Holdings Pty Ltd (No. 3)* (2007) 244 ALR 673

*Australian Competition and Consumer Commission v Visy Industries Holdings Pty Ltd (No. 2)* (2007) 239 ALR 762

#### AUSTRALIAN COMPETITION TRIBUNAL

*Application by Jemena Gas Networks (NSW) Ltd (No 2)* [2011] ACompT 5

*Application by Energy Australia (No 2)* [2009] ACompT 9

*Application by EnergyAustralia and Others* [2009] ACompT 8

*Application by EnergyAustralia* [2009] ACompT 7

## Memberships

Intellectual Property Society of Australia and New Zealand (IPSANZ)