



**CLARISSA
AMATO**
Barrister

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I have a busy practice ranging from defamation, breach of confidence, privacy and trade mark disputes to consumer law and cross-border insolvency litigation.

I frequently appear as lead Counsel in the Federal Court of Australia, Supreme Court of New South Wales, New South Wales Court of Appeal and lower Courts and tribunals. I also have an extensive junior practice.

QUALIFICATIONS

2008

Called to the New South Wales Bar

2001

Admitted as a solicitor, Supreme Court of New South Wales

2000

Bachelor of Laws, University of Sydney

1998

Bachelor of Arts, University of Sydney

PROFESSIONAL RECOGNITION

2016-2019

World Trademark Review: ranked as leading expert, trademark litigation

2019

Doyles Guide: recommended junior Counsel, technology, media, and telecommunications.

EXTERNAL ACTIVITIES AND ASSOCIATIONS

November 2019

Speaker, Law Council of Australia, Media and Communications seminar: "*Digital Platforms: the Future*"

2018-continuing

NSW Bar Professional Conduct Committee

2019-2017

Tutor, NSW Bar Practice Course

2018

Mentor, NSW Bar Association Mentoring Program

2017

Speaker, NSW Bar Association, "*Advocacy in Federal Court interlocutory applications*", with Hon Justice Jagot and Vanessa Whittaker SC

2017

Speaker, University of NSW Continuing Professional Development, Media and Defamation, "*Developments in the Protection of Privacy Interests in Australia*"

2017

Speaker, Communications and Media Law Association, "Defamation, confidentiality and privacy in a pre-publication context"

SELECTION OF CASES

Defamation, privacy and media

Rush v Nationwide News Pty Limited (No 9) [2019] FCA 1383: final injunctive relief (led by T D Blackburn SC)

Rush v Nationwide News Pty Limited (No 8) [2019] FCA 1382: application for recusal (led by T D Blackburn SC)

Roberts v The Manning Community News Pty Ltd [2019] NSWDC (12 December 2019)

DOQ17 v Australian Financial Security Authority (No 3) [2019] FCA 1488: privacy, breach of confidence, negligence

JWR Productions Australia Pty Ltd v Gooding; JWR Productions Australia Pty Ltd v Duncan-Watt [2019] FCA (judgment reserved): defamation, consumer protection and intellectual property

Roberts-Smith v Fairfax Media Publications Pty Limited [2019] FCA 36: defamation, suppression order

DOQ17 v Australian Financial Security Authority [2018] HCASL 367: application for removal of cause under s40 Judiciary Act

DOQ17 v Australian Financial Security Authority (No 2) (2018) 363 ALR 681; [2018] FCA 1270: application for recusal, apprehended bias

Faruqi v Latham (No 2) [2018] FCA 1547: defamation

Jones v Williams (pseudonyms) [2018] NSWSC 954: defamation, application to extend limitation period; summary dismissal

Kelliher v Kambala [2018] NSWSC 101: defamation (led by A T S Dawson SC)

Rush v Nationwide News Pty Ltd (No 2) [2018] FCA 550: defamation, amendment, application to bring cross-claim

Farrow v Nationwide News Pty Ltd (2017) 95 NSWLR 612; [2017] NSWCA 246 (defamation, abuse of process, led by A T S Dawson SC)

Feldman v Alhadeff [2017] NSWCA 18: defamation

Hall v Fairfax Media Ltd [2017] NSWSC 1271: defamation

John Ibrahim v Dailymail.com Australia Pty Ltd [2017] NSWSC (settled): defamation

Zaia v Eshow [2017] NSWSC 1540: defamation (led by A T S Dawson SC)

Feldman v Executive Council of Australian Jewry Inc [2016] NSWSC 1669: defamation

Feldman v Spinak [2016] NSWSC 1083: defamation

Zaia v Eshow [2016] NSWSC 1684: defamation; application for forum transfer

Adeang v The Australian Broadcasting Corporation [2016] FCA 1200: defamation (led by A T S Dawson SC)

Carolan v Fairfax Media Publications Pty Ltd (No 6) [2016] NSWSC 1091: defamation (led by A T S Dawson SC)

Alawadi v Widad Kamel Farhan Trading (t/as Australian Arabic Panorama Newspaper) [2015] NSWDC 279: defamation

Hanson-Young v Bauer Media Ltd (No 2) [2013] NSWSC 2029: defamation, ridicule

Hanson-Young v Bauer Media Ltd (No 1) [2013] NSWSC 1306: defamation, ridicule

Jenman v McIntyre [2013] NSWSC 1100: defamation, internet publication (led by G L Schoff SC)

Chesterton v Radio 2UE Sydney Pty Ltd [2010] NSWSC 982: defamation (led by R G McHugh SC)

Young v The Neil Jenman Group Pty Limited [2010] FCA 318: defamation, consumer protection (led by T D Blackburn SC)

Griffith v John Fairfax Publications [2009] NSWSC 100: (led by D R Sibtain)

Preston v Harbour Pacific Underwriting Management Pty Limited [2008] NSWCA 216: Defamation, appeal on the basis of fresh evidence (led by D R Sibtain)

Intellectual property

Frucor Beverages Ltd v The Coca-Cola Co (2018) 132 IPR 318; 358 ALR 336; [2018] FCA 993: trade mark, appeal from decision of trade marks office (led by R J Webb SC)

Snack Foods Limited v Premier 1st Pty Ltd [2013] FCA (settled): Trade mark infringement, passing off and s18 *Australian Consumer Law* (led by D R Sibtain)

Radulovich v FremantleMedia Australia Pty Limited NSWSC (settled): breach of contract concerning television program *Wentworth*, authorship, producer credit and copyright

Australian Health & Nutrition Association Limited trading as Sanitarium Health Food Company v Irrewarra Estate Pty Limited t/as Irrewarra Sourdough (2012) 292 ALR 101; [2012] FCA 592: Trade mark infringement (led by D R Sibtain)

SMA Solar Technology AG v Beyond Building Systems Pty Ltd (No 5) [2012] FCA 148: Trade mark infringement, consumer protection, accessory liability

Sporte Leisure Pty Ltd v Paul's International Pty Ltd (No 4) [2011] FCA 201: Final injunctive relief, (led by R J Webb SC)

Sporte Leisure Pty Ltd v Paul's International Pty Ltd (No 3) (2010) 275 ALR 258; (2010) 88 IPR 242: Trademark infringement and consumer protection (led by R J Webb SC)

Commercial

Evolution Traffic Control v Skerratt [2018] NSWSC 49: consumer protection; pre-contractual representations

Kim v SW Shipping Co Ltd (2016) 113 ACSR 260; [2016] FCA 428: recognition of foreign proceedings under the Cross Border Insolvency Model Law, admiralty, maritime liens

Kim v Daebo International Shipping Co Ltd (2015) 232 FCR 275; [2015] FCA 684

In the matter of Elsmore Resources Ltd [2014] NSWSC 1687: application for dismissal; failure to pay security for costs

Yu v STX Pan Ocean Co Ltd (2013) 223 FCR 189 ; [2013] FCA 680: recognition of foreign proceedings under the Cross Border Insolvency Model Law, admiralty, maritime liens

O.W. Bunker Middle East DMCC v The Ship "STX Bona" [2013] FCA (matter resolved during final hearing): recognition of foreign proceedings under the Cross Border Insolvency Model Law, admiralty, maritime liens (led by A S Bell SC)

Radulovich v FremantleMedia Australia Pty Limited NSWSC (settled): breach of contract concerning television program *Wentworth*, authorship, producer credit and copyright

Martinez v Heavy Machinery Pty Ltd [2013] NSWSC 340: summary judgment, construction of deed

Global Medical Solutions Australia Ltd v Axiom Molecular Pty Ltd [2012] NSWSC 1517: confidentiality

Eastmark Holdings Pty Limited v Kabraji (2012) 91 ACSR 32: application for summary dismissal, derivative action brought by lot owner pursuant to the "interests of justice exception" to the rule in *Foss v Harbottle*, corporations, strata schemes, breach of fiduciary duty

Eastmark Holdings Pty Limited v Kabraji (No 2) [2012] NSWSC 1255

Eastmark Holdings Pty Ltd v Kabraji (No 3) [2012] NSWSC 1463

Bofinger v Kingsway Group Limited (2009) 239 CLR 269: equitable subrogation, mortgages, rights of surety (led by D R Sibtain)

Brent v Levick and Others [2009] NSWLEC 40: Land and Environment Court Class 4 proceedings

Walker Corporation v Director-General, Department of Environment and Climate Change [2009] NSWCA 392: application to restrain grant of entry onto lands (led by J Ireland QC)

Cavestock Group Pty Ltd v Minister for Planning [2008] NSWLEC 208: application for freezing order (led by P Larkin SC)