



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 and lower Courts and tribunals.

QUALIFICATIONS	Year	Qualification
	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

Doyles Guide: leading Junior Counsel for technology, media and telecommunications matters (2022-2023)

World Trademark Review: ranked as leading expert, trademark litigation (2016 – 2020)

Doyles Guide: recommended Junior Counsel for technology, media, and telecommunications matters (2019 – 2021)

Mediator (National Mediation Accreditation Scheme, 2022-current)

CASES

DEFAMATION, PRIVACY, & MEDIA

Murdoch v Private Media Pty Ltd (No 5) [2023] FCA 440: defamation (led by M Hodge KC)

Murdoch v Private Media Pty Ltd (No 4) [2023] FCA 114 (led by M Hodge KC)

Murdoch v Private Media Pty Ltd [2022] FCA 1275 (led by M Hodge KC)

Palmer v McGowan (No 5) [2022] FCA 893; 404 ALR 621: defamation (led by B W Walker SC)

Palmer v McGowan (No 3) [2022] FCA 140 (led by B W Walker SC)

Facebook Inc v Australian Information Commissioner [2022] FCAFC 9; 402 ALR 445: breach of privacy

Porter v Australian Broadcasting Corporation, Federal Court of Australia NSD 206 of 2021: defamation (led by J T Gleeson SC and R Enbom KC) (settled)

Rubenstein v Wade [2021] Federal Court of Australia NSD 636 of 2021: defamation (settled)

Vlandys v Australian Broadcasting Corporation (No 3) [2021] FCA 500: defamation (led by A T S Dawson SC)

Hewson v TCN Channel Nine Pty Ltd [2021] FCA 389: defamation (led by TD Blackburn SC)

JWR Productions Australia Pty Ltd v Gooding; JWR Productions Australia Pty Ltd v Duncan-Watt [2020] FCA 236; 377 ALR 467; 149 IPR 400: defamation, consumer protection and intellectual property

DOQ17 v Australian Financial Security Authority [2020] FCAFC 219: appeal, no error identified

Australian Information Commissioner v Facebook Inc (No 2) [2020] FCA 1307: breach of privacy (led by K Richardson SC)

Roberts v Manning (No 2) [2020] NSWDC 525: defamation

Vlandys v Australian Broadcasting Corporation (No 2) [2020] FCA 1264 (led by A T S Dawson SC)

Roberts v The Manning Community News Pty Ltd [2020] NSWDC 301: defamation

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

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

Rush v Nationwide News Pty Limited (No 9) [2019] FCA 1383: defamation, 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)

Husar v BuzzFeed Inc, Federal Court of Australia NSD2254 of 2018: defamation (settled)

Sebastian Kouzoukas v Federico Dordoni and Hugo's Manly NSWDC 284618 of 2018: defamation (settled)

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

Limontono v BuzzFeed Inc, Federal Court of Australia, NSD1916 of 2018 (settled): defamation

Domican v Pan Macmillan Australia Pty Ltd, Federal Court of Australia NSD1297 of 2018: defamation

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 (led by A Leopold SC)

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: defamation (settled):

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

Alawadi v Widad Kamel Farhan trading as the Australian Arabic Panorama Newspaper (No 2) [2016] NSWDC 37: defamation, summary dismissal

Alawadi v Widad Kamel Farhan trading as the Australian Arabic Panorama Newspaper (No. 3) [2016] NSWDC 204: defamation, gross sum costs order

Cowper v Australian Broadcasting Corporation, NSWSC 141755 of 2016 (appeared for a subpoenaed party)

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)

Adeang v The Australian Broadcasting Corporation (No 2) [2016] FCA 1599 (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 (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

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

Preston v Harbour Pacific Underwriting Management Pty Limited [2008] NSWCA 216: defamation (led by D R Sibtain)

**INTELLECTUAL
PROPERTY**

Lian Fa International Dining Business Corporation v Mu, Federal Court of Australia NSD 1124 of 2021: breach of franchise agreement, trade mark infringement, application for removal of trade mark (led by J Hogan-Doran SC) (ongoing)

JWR Productions Australia Pty Ltd v Gooding; JWR Productions Australia Pty Ltd v Duncan-Watt [2020] FCA 236; 377 ALR 467; 149 IPR 400: defamation, consumer protection and 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)

Frucor Beverages Limited v The Coca-Cola Company [2017] FCA 298

Snack Foods Limited v Premier 1st Pty Ltd Federal Court of Australia NSD 1723 of 2012: Trade mark infringement, passing off and s18 Australian Consumer Law (led by D R Sibtain) (settled)

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

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)

Australian Health and Nutrition Association Limited trading as Sanitarium Health Food Company v Irrewarra Estate Pty Limited trading as Irrewarra Sourdough (No 2)[2012] FCA 892 (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, accessorial 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

Lian Fa International Dining Business Corporation v Mu, Federal Court of Australia NSD 1124 of 2021 (led by J Hogan-Doran SC) (ongoing)

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: recognition of foreign proceedings under the Cross Border Insolvency Model Law, admiralty, maritime liens

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; 31 ACLC 13-032 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: recognition of foreign proceedings under the Cross Border Insolvency Model Law, admiralty, maritime liens (led by A S Bell SC) (matter resolved during final hearing)

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] NSWSC 802; 91 ACSR 32; 1 STR (NSW) 584 (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 [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)

**EXTERNAL ACTIVITIES
& ASSOCIATIONS**

Tutor, NSW Bar Practice Course (2023-2017)

UTS Law Society Student Mentoring Programme (2022)

Chair, Media Law 2020, Legalwise seminars (November 2020)

NSW Bar Professional Conduct Committee (2020-2018)

Speaker, Law Council of Australia, Media and Communications seminar: “*Digital Platforms: the Future*” (November 2019)

Mentor, NSW Bar Association Mentoring Program (2018)

Speaker, NSW Bar Association, “*Advocacy in Federal Court interlocutory applications*” with the 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*” (2017)