



Robynne Sanders

Partner

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Robynne Sanders is a leading intellectual property (IP) lawyer and patent litigator.

Most recently a founding director of a boutique IP firm, Robynne has decades of experience in patent litigation and dispute resolution, especially complex multijurisdictional cases for Australian and international clients. With a degree in Chemistry, a Masters of Intellectual Property laws and qualifications as a patent attorney, Robynne is uniquely placed to assist clients with all aspects of patent protection and enforcement, and the technical background and experience to understand the most complex technology.

Robynne has particular experience assisting clients in the materials sciences, engineering, information technology and medical devices sectors.

Robynne has acted in various complex intellectual property cases, including the 2006 landmark case of Bavaria N V v Bayerischer Brauerbund eV (Federal Court Proceedings No. NSD 1395); these proceedings were the first judicial consideration of those sections of the Australian Trade Marks Act 1995 (Cth) relevant to geographical indications. She also acted in Expo-Net Danmark A/S v Buono-Net Australia Pty Ltd & Ors (Federal Court Proceedings No. NSD 428 of 2009). A decision in this case provided a judicial determination on the Australian requirements for a patent to contain the 'best method of performing the invention'.

Patent Litigation - Engineering, Building and Construction

- Acting for multinational and national clients in patent, design and confidential information cases including Bostik Australia Pty Ltd (cementitious tile adhesives), EXPO-NET Danmark A/S (polymer elements used in industrial waste water treatment), Interflow Pty Ltd (method of lining junctions in sewer lines) Austworld Commodities Pty Ltd (gas and water valves).
- Advising clients on enforcement strategies for IP rights directed to manufacture of industrial walkways, manufacture and installation of cladding used in large construction, methods of rehabilitating concrete structures, coatings and adhesives used in construction and industry and manufacture of biodegradable polymer products for commercial use.

- Intellectual Property and Technology
- Trademark and Copyright
- Media, Sport, Gaming and Entertainment
- Patent Prosecution and Strategic Patent Counseling
- Patent Litigation

- Consumer Goods, Food and Retail
- Hospitality and Leisure
- Technology
- Energy and Natural Resources
- Mining
- Life Sciences
- Media, Sport and Entertainment
- Industrials

- Acting for two Australian manufacturers of safety equipment in separate proceedings for patent infringement, where the Australian Standards had been amended to specify the patented product/system.

Patents and Patent Litigation - Chemistry and Biotechnology

- Acting for BASF SE and Novamont SpA in Federal Court proceedings alleging infringement of patents directed to biodegradable polymers by multiple infringers; these proceedings formed part of global litigation against the infringers and their suppliers.
- Advising on strategies for addressing infringement of patents for insecticides for seasonal use by multiple infringers.
- Representing pharmaceutical companies and research institutes in proceedings challenging the validity of patents and patent families relating to xenotransplantation applicable to organ transplantation, Type 1 diabetes, high cholesterol and medical device companies in proceedings for infringement of innovation patents for single use forceps and patents for spinal implants.

Trade Marks, Consumer Protection and Copyright

- Advising two of Australia's largest companies in the building products sector to prevent a competitor from obtaining monopoly rights in terms used to describe products, which would otherwise have severely restricted their ability to market their core product.
- Developing a branding strategy for a market leading company in the construction and industrial products sector to strengthen brand awareness and penetration amongst both wholesale customers and end users, improve enforceability of IP rights and formalise strategies for dealing with infringing conduct.
- Developing and executing a strategy to prevent significant and long term counterfeiting of its products in Australia, at both retail and wholesale level.

CREDENTIALS

Professional Qualifications

- Solicitor of the Supreme Court of Victoria, 2004
- Solicitor of the High Court of Australia, 2003
- Solicitor of the Supreme Court of New South Wales, 2000

Education

- Master of Industrial Property, University of Technology, Sydney, 2003
- Bachelor of Laws, University of Newcastle, 1999
- Bachelor of Science (Chemistry), University of Newcastle, 1997

Memberships

- Fellow, Institute of Patent and Trade Marks Attorneys
- Intellectual Property Society of Australia and New Zealand (Victorian committee member, September 2008 to September 2010; committee chairman from September 2010; trans-national committee member from September 2010)
- Registered Patent Attorney in Australia and New Zealand

INSIGHTS

Publications

Robynne has written many articles on aspects of patent law for IAM Magazine, Managing Intellectual Property and IP Value. Copies of articles are available on request.

- "Aspirating IP v Vision Systems", *Watermark Journal*, December 2010 (co-author)
- "To sue or not to sue (but amend the claims first)? That is the question" *IAM Magazine*, October 2010 (reprinted by Lexology, October

2010)

- "Using the Innovation Patent in Patent Infringement Cases", *Watermark Journal*, September 2010
- "Managing intellectual assets in the changing IP landscape", *IP Value 2010* (co-author; reprinted by *Lexology*, January 2010)
- "Unregisterability of marks consisting of exact geographical indications", *IAM Magazine*, July 2009 (reprinted by *Lexology*, July 2009)
- "Bavaria Holland Beer — Watermark Intellectual Property Lawyers Federal Court win", *Watermark Journal*, June 2009
- "Contributory Infringement at the High Court", *Managing Intellectual Property*, April 2009 (co-author)
- "The commercial impact of a changing legal landscape in Australia", *IP Value*, 2009 (co-author; reprinted by *Lexology*, January 2009)
- "The impact of changing legislation on IP owners", *IP Value*, 2008 (co-author)
- "Lessons for the Boardroom from UWA v Gray", *Watermark Journal*, September 2008
- "The Federal Court Fast Track List — Speed but at what Cost", *Watermark Journal*, September 2007
- "IP litigation", *Anthill Online*, April 2007
- "The Use of Expert Evidence in Court Proceedings and Oppositions", *Watermark Journal*, September 2006 (reprinted in *IAM Magazine*, September 2006)