

GREENS LIST

BARRISTERS



SANJAY SCHRAPEL

BAR ROLL: 2020 | ADMITTED: 2011

Sanjay practises primarily in commercial law and administrative law, with a focus on media law (defamation and contempt), intellectual property (copyright and trademarks), and trade practices.

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EXPERTISE

Alternative Dispute Resolution | Appellate | Bankruptcy Law & Insolvency Law | Commercial Law | Common Law | Competition Law & Consumer Law | Corporations Law & Securities Law | Defamation | Inquests, Inquiries, Tribunals & Commissions | Intellectual Property | Property Law | Public Law & Administrative Law | Technology Law & Media Law

PROFILE

Sanjay practises primarily in commercial law and administrative law, including in the following areas:

- Media law (defamation, contempt and suppression issues, including pre-publication advice)
- Intellectual property (trademarks and copyright)
- Freedom of information
- Privacy law (pursuant to the *Privacy and Data Protection Act 2014* (Vic) and the *Privacy Act 1988* (Cth))
- Confidential information/breach of confidence
- Trade practices and competition law
- General commercial disputes (including contractual, real property, construction and partnership/shareholder/director disputes)
- Professional negligence
- Commissions of inquiry
- Disciplinary prosecutions

Before coming to the Bar, Sanjay was a Senior Associate at Corrs Chambers Westgarth, practising in the Commercial Litigation and Technology, Media and Telecommunications practice groups. Prior to this, Sanjay was an Associate at HWL Ebsworth, in their Adelaide office.

Between 2012 and 2013, Sanjay was the Associate to the Honourable Justice Vanstone in the Supreme Court of South Australia.

Sanjay holds a Master of Laws (with Distinction) from the Australian National University, a Bachelor of Laws (First Class Honours) from the University of Adelaide, and a Bachelor of Economics from the University of Adelaide. He teaches Equity at Monash University.

Sanjay read with Renee Sion. His senior mentor is Dr Matt Collins AM QC.

RECENT CASES



BC Securities Pty Ltd v HWL Ebsworth Lawyers and Anor (Supreme Court of Victoria – S ECI 2022 02976). Professional negligence. Breach of retainer. Led by David Klempfner



Far East Consortium International Limited and Ors v HWL Ebsworth Lawyers (Supreme Court of Victoria – S ECI 2022 02978). Professional negligence. Breach of retainer. Led by David Klempfner



Natcorp Developments Pty Ltd v Somerset Creations Pty Ltd (Supreme Court of Victoria – S ECI 2022 00993). Breach of Contract. Breach of Guarantee. Misleading or Deceptive Conduct. Unconscionable Conduct. Led by Michael Bearman



Vogue Domain Living Pty Ltd (in liq) v Somerset Creations Pty Ltd (Supreme Court of Victoria – S ECI 2022 04744). Breach of Contract. Restraint of Trade. Breach of Directors' Duties. Breach of Fiduciary Duties. Led by Michael Bearman



Berimba Pty Ltd v Schmidt (Supreme Court of Victoria – S ECI 2022 02568). Breach of Loan Agreement. Undue Influence. Unconscionable Conduct



Gulabovski v Integrity Financial Planners Pty Ltd [2021] VCC 842 - Breach of Contract. Estoppel. Assignment of causes of action. Led by Michael Galvin QC.



Prioletti Consultants Pty Ltd t/a Catalyst Training and Disability Services v Box Hill Institute and Centre for Adult



Regional Touring Pty Ltd v S4 Productions Pty Ltd and Anor (County Court of Victoria – CI 20 03626). Breach of Contract. Frustration

Education (Supreme Court of Victoria - S ECI 2022 01559). Breach of Contract. Misleading or Deceptive Conduct. Unconscionable Conduct. Led by Michael Galvin QC.

of Contract. Misleading or Deceptive Conduct. Estoppel.



Liu v Resi Ventures Leakes Pty Ltd and Ors (Supreme Court of Victoria - S ECI 2018 00488). Breach of Contract. Misleading or Deceptive Conduct. Estoppel. Professional Negligence. Led by David Klempfner.



Agent Desk Pty Ltd and Anor v Richards and Anor (Supreme Court of Victoria - S ECI 2021 03081). Procuring Breach of Contract. Misuse of Confidential Information. Breach of Directors' Duties.



Richards v Johnston (County Court of Victoria - CI 21 02426). Defamation.



Bastiaan v Nine Entertainment Co. Holdings Limited and ors (Federal Court of Australia - VID471/2021). Defamation. Acting for two subpoenaed parties.



Board Pro Pty Ltd v Hume Mills Co Pty Ltd (Australian Trade Marks Office). Opposition of Trademark Application.



Israr v Victoria Police (Victorian Civil and Administrative Tribunal - Z719/2021). Application to review refusal of Private Security Industry Operator's Licence.



Gunewardene v Victoria Police (Victorian Civil and Administrative Tribunal - Z824/2021). Application to review refusal of Private Security Industry Operator's Licence.

Publications

Self-Care IP Holdings v Allergan Australia – “reputation” not relevant in determining trademark infringement under Trade Marks Act, s 120(1)(2023) 36 Australian Intellectual Property Law Bulletin, Issue 1A 'non-colourable assertion' - litigating "pure" defamation claims in the Federal Court CommBar Matters, 2 September 2020 Defamation Trials: Why Plaintiffs are Rush(ing) to file in the Federal Court (with Conor O'Beirne) (2018) 37 Communications and Media Law Association Bulletin, Issue 4 Establishing a Right to Privacy in Australia: What would it look like, and how would it work? (2018) 37 Communications and Media Law Association Bulletin, Issue 4 Can journalists really promise anonymity to their sources? Gazette of Law and Journalism, 22 August 2017 Rebel Wilson v Bauer Media Pty Ltd and anor - Case Note Gazette of Law and Journalism, 10 August 2017

Memberships & Committees

- [Victorian Bar](#)
- Communications and Media Law Association
- Victorian Commercial Bar Association (IP and Trade Practices Section, Committee Member)
- Victorian Common Law Bar Association
- Intellectual Property Society of Australia and New Zealand
- Victorian Bar Innovation and Technology Committee

To get in touch with Sanjay Schrapel | or for more information please contact the Clerk on:

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