Form 93

Rule 34.28(1)

Notice of cross-appeal (intellectual property)

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

On appeal from the [title or office of the person who made the decision]

**[Name of First Appellant]** [if 2 or more add "and [another/others] named in the schedule"]

Appellant[s]

**[Name of First Respondent]** [if 2 or more add "and [another/others] named in the schedule"]

Respondent[s]

To the Appellant

The Respondent cross-appeals from the decision as set out in the notice of appeal.

Date:

|  |
| --- |
| Signed by an officer acting with the authority of the District Registrar |

In the notice of appeal (intellectual property) filed by the Appellant in the proceeding, the Appellant appealed from the decision of [title or office of the person who made the decision] given on [date] at [place]. The [title or office of the person who made the decision] decided [specify decision appealed from].

The Respondent cross-appeals from [\*either]the whole of [\*or]part of the decision of [title or office of the person who made the decision]. [If part only, give details of the part of the decision appealed from or which you contend should be varied].

**Orders sought**

1. [state the order or orders you seek]
2.

**Grounds relied on**

1. [state the grounds relied on in support of each order sought and the particulars of each ground relied on].
2.

**Respondent’s address**

The Respondent’s address for service is:

Place: [see rule 11.01]

Email:

The Respondent’s address is [if the Respondent is an individual - place of residence or business; if the Respondent is a corporation - principal place of business].

**Service on the Appellant**

[Select one of these 3 options and delete others]
[\*]It is intended to serve this notice of cross-appeal on all Appellants.

[\*or]It is intended to serve this notice of cross-appeal on the following Appellants:

[name of each Appellant on whom notice of cross-appeal is to be served]

[\*or]It is not intended to serve this notice of cross-appeal on any Appellant.

Date: [eg 19 June 20..]

|  |
| --- |
| Signed by [Name][Insert capacity: Respondent / Lawyer for the Respondent] |

*Note*

Rule 34.28(4) provides that the respondent must, within 5 days after filing the cross-appeal, serve the notice of cross–appeal on the Commissioner and the applicant and any other party to the cross–appeal.

[\* If more than one appellant, respondent, cross-appellant or cross-respondent, insert names of the second, third, fourth etc as required in this schedule. Delete schedule if not required.]

**Schedule**

No.       of 20

Federal Court of Australia

District Registry: [State]

Division: [Division]

[\*]**Appellant**

Second Appellant: [Name]

[\* etc]

[\*]**Respondents**

Second Respondent: [Name]

[\* etc]

[\*]**Cross-appellants**

Second Cross-appellant: [Name]

[\* etc]

[\*]**Cross-respondents**

Second Cross-respondent: [Name]

[\* etc]

Date:

[\*delete if inapplicable]