

units) and understand their intentions and goals, and then go through the rationale for my comments. It takes a bit longer in the beginning, but building trust and having that strong foundation in understanding the reasoning behind my advice really sets the team up for success. About a week before my maternity leave commenced one of my clients sent me an email asking for advice, but also said “before I sent this advice, I

asked myself “WWJND” (what would Jess Norgard do?) so I made some tweaks – please see the revised version – what do you think?” His tweaks were spot on, I was thrilled for both me and him/his project. It made going on leave a lot easier knowing that I’d empowered that team for success.

SOPHIE: If you could excel in any job in the world (except lawyer) what would you be?

JESS: I’d love to be a dancer on Broadway. In between performances I’d catch matinees of my favourites shows and immerse myself in the theatre culture. In my spare time, I’d sit in Central Park drinking some sort of peanut butter flavour frappe and write hilarious yet poignant children’s books.

SOPHIE: Love it. Thanks Jess! Happy International Women’s Day!

Frances St John

Barrister, Tenth Floor Selborne/Wentworth Chambers

Imogen Loxton, Senior Associate, Ashurst, sits down with **Frances St John**, a barrister at Tenth Floor Selborne/Wentworth Chambers, to look back at Frances’ career to date.

Frances is a barrister at Tenth Floor Chambers, where she specialises in intellectual property disputes, as well as competition and consumer protection issues. She’s recognised as one of Australia’s leading intellectual property barristers in multiple rankings, and regularly appears in matters covering the full spread of intellectual property. Prior to coming to the bar, Frances worked at MinterEllison and Gilbert + Tobin.

IMOGEN LOXTON: Thanks so much for agreeing to talk to us Frances! Obviously a lot of CLB readers will already know you well, but for those who don’t: can you tell me about your career path and how it led you to where you are today?

FRANCES ST JOHN: You’re welcome! I wasn’t originally intending to be a lawyer. But I took on a job as a research assistant to an excellent then-junior barrister in Brisbane, Jonathan Horton. He went on to be an invaluable mentor to me, and a significant influence on my professional life. He showed me that legal work could be engaging and interesting, and that’s when I changed my mind about joining the profession. When I graduated, I spent a year as an associate to Justice Greenwood, who was a delight to work for – full of personality and very funny, but focused and insightful as well. I then did a Masters at ANU, and then started work as a solicitor, first at Minter Ellison and then at Gilbert + Tobin. I loved being a solicitor – both firms were very supportive and were doing fascinating work – but I knew I wanted to be on my feet. I applied for a readership at Tenth Floor Chambers, and voila.

IMOGEN: I’ve always thought that one of the best parts of being an IP lawyer is learning about a wide variety of industries – it keeps things interesting. Apart from gaining a very in-depth understanding of dishwashing tablets, what would you say is the most interesting non-legal thing you’ve learned over the course of your career?

FRANCES: Yes, I agree. You’d be amazed at the things I’ve known about at various times in my career. But as a barrister friend says to me, “Fill the bathtub – drain it out.” I used to know a lot about 3D televisions, and then a lot about pizza delivery, and then pirated movies, melatonin, perfume, “feminine hygiene products”, environmental campaigns, bikinis, counterfeit pharmaceuticals, snap-together building blocks ...the list goes on. But that’s all long been replaced in my mind by my more recent

cases. At the moment I know about poker machines, VOD services, detonators, bore-hole plugs for mines, broadcasting, energy drinks, and, as you say, dishwashing tablets. I could write a book about dishwashing tablets at this point. Did you know that dishwashing tablets work better in Sydney than in Brisbane? The water is softer here.

IMOGEN: Fascinating! Glad I’m in Sydney. I’ve mentioned one of my favourite parts of the job – what is your favourite part of your job?

FRANCES: Like most barristers, cross-examination. It’s a real battle of wit and will.

IMOGEN: I think that would be the most terrifying part for me! What is the greatest risk you’ve taken so far in your career?

FRANCES: Coming to the bar. I didn’t know what to expect and I was worried I wouldn’t make it. You read the statistics about people, especially women, coming to the bar and turning right around and leaving again. But once I got the readership at Tenth Floor, I felt like I had a real opportunity to do well. I knew the chambers had an excellent reputation and plenty of good work.

IMOGEN: Looking back on that, what advice would you give to your younger self?

FRANCES: I would reassure my younger self that it will be worth it. The early years involve a lot of late nights and weekends doing legal research and early drafts of affidavits and submissions. Being at the bar is much more fun once you start to get on your feet.

IMOGEN: What has been your career highlight to date?

FRANCES: Appearing unled in the High Court in the *Aristocrat v Commissioner of Patents* appeal, intervening for IPTA. I was supposed to be led by an excellent silk, but he had a diary conflict shortly before the appeal hearing and had to pull out. Ordinarily another silk would have been



briefed, but the exiting silk told the solicitor he had confidence in me to do it on my own, and the solicitor said he did too. I was very grateful to them both for the opportunity. It’s rare to get a chance to step up like that. I did my very best to prepare, but there’s no way to be fully ready for six of the country’s best minds to pepper you with questions. (By attributing “best minds” to six justices rather than seven, I don’t mean to throw shade at the seventh! Only six sat on the appeal.) It was terrifying, but a real career milestone.

IMOGEN: That is an incredible highlight. You’re obviously very busy, but everyone needs something to wind down to. To finish up this interview, do you have any podcast, book or TV show recommendations for us?

FRANCES: It depends how much brain power I have left at the end of the day. If I’m not too wiped out, I like Margaret Atwood, JM Coetzee, TS Eliot, and some of the old classics. But if I just have no room in my brain, I like true crime podcasts. Is that embarrassing? My husband says that if I ever get murdered, at least I’ll die doing what I love.