

BOTANICAL WATER TECHNOLOGIES IP LTD ABN 18623093103 & ORS

v

DRIVER & ORS

[2025] HCADisp 270

S123/2025

- 1 The applicants seek special leave to appeal from the whole of the judgment of the Court of Appeal of the Supreme Court of New South Wales (Ward P, Payne and Adamson JJA), which dismissed an appeal from the Supreme Court of New South Wales (Ball J).
- 2 The proposed appeal does not have sufficient prospects of success to warrant a grant of special leave, nor would it otherwise be a suitable vehicle to consider the application of the principle of reflective loss.
- 3 Special leave to appeal is refused with costs.

Gageler CJ
Gordon J
Edelman J
Steward J
Gleeson J
Jagot J
Beech-Jones J

6 November 2025