



Australian Government

IP Australia

Discovery House, Phillip ACT 2606
PO Box 200, Woden ACT 2606
Australia
Phone +61 -2 6283 2999
Facsimile +61 -2 6283 7999
www.ipaustralia.gov.au
ABN 38 113 072 755

Official Notice

Melbourne 2006 Commonwealth Games Protection Act

The *Melbourne 2006 Commonwealth Games (Indicia and Images) Protection Act* (the *M2006 Act*) received Royal Assent on 26 June 2005. The *M2006 Act* restricts the use of key words, phrases and images associated with the Melbourne 2006 Commonwealth Games. The *M2006 Act* is administered by the Department of Communications, Information Technology and the Arts (DCITA).

The *M2006 Act* can be found at

www.comlaw.gov.au/ComLaw/Legislation/Act1.nsf/0/286B6DF00B67B40ECA257030003CDE5A?OpenDocument

Key features of the Act include:

- an authorisation scheme to restrict the use of key words, phrases and images associated with the Melbourne 2006 Commonwealth Games. The scheme refers to and incorporates elements of the authorisation scheme established by the *Commonwealth Games Arrangements Act 2001* (Vic);
- a range of potential remedies including injunctions, damages, accounts of profit, corrective advertisements and seizure of goods by the Australian Customs Service; and
- a sunset clause such that the Act will cease to have effect from the end of 30 June 2006.

The legislation provides protection for a range of M2006 Games indicia and images including the following expressions:

- Melbourne 2006 Commonwealth Games;
- Melbourne 2006 Games;
- Melbourne Games;
- Melbourne Commonwealth Games;
- Melbourne 2006;
- M2006;
- M06;
- Australian Commonwealth Games;
- Commonwealth Games;
- Friendly Games;
- any other combination of the words “Commonwealth Games” or “Games” and the numbers “2006”, “18th”, “Eighteenth” or “XVIIIth”;
- Australian Commonwealth Games Team when linked with expressions specific to the Melbourne 2006 Commonwealth Games;
- Commonwealth Games Cultural Program;

- Melbourne 2006 Cultural Program;
- M06 Cultural Program;
- Queen’s Baton Relay;
- “bronze”, “silver” or “gold” when linked with “Commonwealth Games” or “Commonwealth Games Athlete”; and
- any visual or aural representations that, to a reasonable person, in the circumstances of the presentation, would suggest a connection with the Melbourne 2006 Commonwealth Games.

Exemptions apply to parties providing information (including factual reporting by the media), criticism and/or review, which did not fall within the meaning of ‘use for commercial purposes’.

For information relating specifically to the *M2006 Act*, the contacts are as follows: (The Victorian Government contact will apply to both the *Melbourne 2006 Commonwealth Games (Indicia and Images) Protection Act 2005* and the *Victorian Commonwealth Games Arrangements Act 2001*).

<p><u>DCITA Policy Contact</u> Stephen Richards Manager M2006 Taskforce Phone: (02) 6271 1607 Email: Stephen.Richards@dcita.gov.au</p>	<p><u>DCITA Legal Contact</u> Trish Taylor Principal Adviser Arts and Sport Phone: (02) 6271 1468 Email: Trish.Taylor@dcita.gov.au</p>
<p><u>Victorian Government Contact</u> Don Frayne Manager Executive and Legal Services Office of Commonwealth Games Coordination Phone: (03) 9208 3030 Email: Don.Frayne@dvc.vic.gov.au</p>	<p><u>M2006 Corporation Contact</u> Kate Bradshaw Branding Protection Manager Melbourne 2006 Commonwealth Games Corporation Phone: (03) 9613 2006 Email: Kate.Bradshaw@melbourne2006.com.au</p>

Contact: IP Australia
Phone: 1300 651 010
Fax: +61 2 6283 7999
E-mail: assist@ipaustralia.gov.au
Web: www.ipaustralia.gov.au