



Australian Government

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Official Notice

Notice of Application for Registration of Agreement Country Geographical Indications

Australia is currently finalising a revised Agreement with the European Union. Under this Agreement the EU is seeking protection for geographical indications that were not protected in the 1994 Agreement. This may affect owners of registered trade marks.

AUSTRALIAN WINE AND BRANDY CORPORATION

Industry House, National Wine Centre, Hackney Road, ADELAIDE, South Australia, 5000.

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NOTICE OF APPLICATION FOR REGISTRATION OF AGREEMENT COUNTRY GEOGRAPHICAL INDICATIONS

Opportunity to object based on pre-existing trade mark rights

Australia is currently finalising a revised Agreement with the European Union. Under this Agreement the EU is seeking protection for geographical indications that were not protected in the 1994 Agreement. The list of new EU GIs can be found at www.awbc.com.au.

The purpose of this notice is to ensure that in deciding to provide protection of these additional geographical indications due consideration is given to pre-existing trade mark rights. Part B, paragraph 3 of the Administrative Guideline – Process for registration for geographical indications of Agreement Countries - sets out the grounds whereby the owner of a trade mark can object to the registration of a geographical indication. The owner of a registered trade mark, a trade mark that is the subject of an application for registration or a trade mark that has been used but is not registered may object on a relevant ground. Please note that the grounds of objection are complex. Any prospective objector should therefore check the actual grounds provided in the Administrative Guideline, which is available online at: http://www.awbc.com.au/library/AdminGuidelineRegistration_07-2005.pdf

Objectors should file a written objection to the registration of a geographical indication set out in the notice, stating the grounds of objection, with the Registrar of Trade Marks. The objections should be addressed to:

THE REGISTRAR OF TRADE MARKS
(Attention Terry Williams)
P.O. BOX 200
WODEN ACT 2606

A filing fee of \$500 is required and the objection must be received by the Registrar of Trade Marks by 1 November 2007. This time limit is not extendable and will be strictly applied.

In the event that any party objects to the determination, the Registrar of Trade Marks will write to all the parties, inviting them to file relevant evidence within six weeks of the date of the invitation to lodge evidence.

Queries: Terry Williams
Hearing Officer
Trade Marks and Designs Examination and Hearings
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