

MEDIA RELEASE



Warren Entsch, MP
Parliamentary Secretary to the
Minister for Industry, Tourism and Resources

7 December 2005

05/563

TRADE MARK ENFORCEMENT

Parliamentary Secretary for the Minister for Industry, Tourism and Resources, Warren Entsch, today announced the Government's response to the Review of Trade Mark Enforcement conducted by the Advisory Council on Intellectual Property (ACIP).

ACIP made twelve recommendations for greater clarity of trade mark rights and greater certainty in their enforcement and protection last year. These recommendations and the Government's response to them are set out in a table available at www.ipaustralia.gov.au/resources/news_new.shtml.

Mr Entsch said nine of the recommendations had been accepted. Six recommendations were being implemented progressively by IP Australia, the Australian government agency responsible for protecting and promoting intellectual property rights.

IP Australia will take alternative steps to address three recommendations that had not been accepted (recommendations 2, 3 and 5). These steps are detailed in the table on the IP Australia internet site.

The remaining three issues had broad implications for government policy in relation to the enforcement of intellectual property rights. Mr Entsch said that he had consulted with the Attorney-General, the Hon Philip Ruddock MP and the Minister for Justice and Customs, Senator the Hon Chris Ellison on these matters.

Mr Entsch said the Government is committed to effective laws on intellectual property. To this end, it will foster cooperative relationships between industry, State and Commonwealth agencies to promote shared responsibility for the enforcement of intellectual property rights.

"Balanced and cost-effective trade mark processes are vital to protecting intellectual property rights and integral to innovative and competitive industries in Australia," Mr Entsch said.

"Without clear trade mark rights and processes, there would be little incentive for industry to develop and market quality goods and services. It would also be difficult for consumers to make informed choices with any confidence about the origin of goods and services."

Mr Entsch said he was currently progressing a number of measures to strengthen and promote the effective use intellectual property rights in Australia.

"These include considering amendments to the *Trade Mark Act 1995* to clarify uncertainties in the Act, provide greater efficiencies in processes and registration procedures, achieve better policy outcomes and improve the operation of the Act," Mr Entsch said.

Media contact: Greg Doolan, Entsch Office – (02) 6277 4656 or 0418 213 243
Peter Tucker, IP Australia – (02) 6283 2008

CMR05-307