



MEDIA RELEASE

Bob Baldwin, MP

Parliamentary Secretary to the
Minister for Industry, Tourism and Resources

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06/400

Towards a stronger Trade Mark System

The Trade Marks Amendment Bill 2006 was passed in Parliament today, making a number of incremental improvements to the Trade Marks Act 1995 that will strengthen the Trade Marks system and provide greater certainty for Australians and Australian business.

The Parliamentary Secretary to the Minister for Industry, Tourism and Resources, Bob Baldwin said “the improvements will further strengthen the trade mark system by aligning it with other intellectual property (IP) legislation and reducing the administrative burden on trade mark applicants.”

The improvements to the Trade Marks Act have come about through a review conducted by IP Australia, the Australian Government agency responsible for administering the patents, trade marks, designs and plant breeder’s rights systems. The review found that the trade marks system was working effectively, but there were some changes that could be made to enhance the system.

The changes made by the Bill will improve the trade marks system in a number of ways. Key amendments include:

- the ability to conduct simple trade mark transactions over the phone;
- two new opposition to registration provisions; and
- increased certainty that ownership of and interests in a trade mark have been recorded accurately on the Register of Trade Marks.

Mr Baldwin describes trade marks as very important resources for business. “A registered trade mark represents a valuable business asset that can help to establish a strong and competitive market position. Trade marks can be used, licensed or sold within Australia for the goods and services for which they are registered.”

This is particularly important for small-to-medium-businesses (SMEs) who will directly benefit from the changes. Over 50,000 trade marks applications are received by IP Australia every year. Of these applications, more than half are filed by SMEs.

“The *Trade Marks Act 1995* has been in force for ten years and strengthening of the trade mark system will increase consumer confidence that they are buying genuine goods and services with the quality expected from the brand or mark.” said Mr Baldwin.

More information on trade marks can be found on IP Australia’s website at www.ipaustralia.gov.au

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