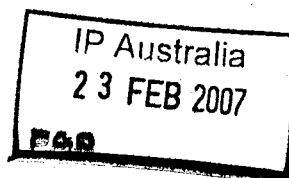




**Australian  
Competition &  
Consumer  
Commission**

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602  
ph (02) 6243 1111  
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www.accc.gov.au

Our Ref: C2006/1880  
Contact officer: Ilona Balint  
Contact phone: (02) 6243 1113



22 February 2007

The Registrar of Trade Marks  
IP Australia  
PO Box 200  
WODEN ACT 2606

Dear Registrar

**Certification Trade Mark Application No. 1082122  
Commercial Leather Association of Australia and New Zealand**

The Australian Competition and Consumer Commission (the ACCC), in accordance with the provisions of the *Trade Marks Act 1995*, has completed its final assessment of Certification Trade Mark (CTM) No. 1082122.

A certificate detailing the ACCC's assessment is attached, as well as a certified copy of the rules. The applicant has been notified.

If you have any queries on this matter, please contact Ilona Balint on (02) 6243 1113.

Yours sincerely

Isabelle Arnaud  
Director, Adjudication





Australian  
Competition &  
Consumer  
Commission

**Final Assessment of Certification Trade Mark Application 1082122 lodged by the  
Commercial Leather Association of Australia and New Zealand**

The Australian Competition and Consumer Commission (the ACCC), in accordance with the requirements of the *Trade Marks Act 1995*, has completed its Final Assessment of the above Certification Trade Mark (CTM) application.

The ACCC's Final Assessment is that it is satisfied that:

- (a) the approved certifiers are competent to certify the goods in respect of which the CTM is to be registered;
- (b) the rules governing the use of the CTM would not be to the detriment of the public; and
- (c) the rules governing the use of the CTM are satisfactory having regard to the principles relating to restrictive trade practices set out in Part IV of the *Trade Practices Act 1974* (the Act); the principles relating to unconscionable conduct set out in Part IVA of the Act; and the principles relating to unfair practices, product safety and product information set out in Part V of the Act.

Signed.......... (Commissioner)

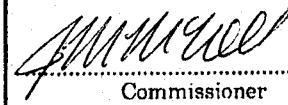
Date.....20 FEBRUARY 2007.....

COMMERCIAL LEATHER ASSOCIATION OF AUSTRALIA  
AND NEW ZEALAND LIMITED - ACN 115 730 222



CORRECTED GRAIN LEATHER

Certified copy  
pursuant to section 175(2)(b)  
of the *Trade Marks Act 1995*

  
.....  
Commissioner

20-02-07  
.....  
Date

**CG CORRECTED GRAIN LEATHER Certification Mark**  
- Australian Trade Mark Application No. 1082122

**1. Certifying Authority**

These rules govern the issue by COMMERCIAL LEATHER ASSOCIATION OF AUSTRALIA AND NEW ZEALAND LIMITED ('CLA') for certificates for the use of the Trade Mark.

**2. Authorized Use of the Certification Mark**

Use of the certification mark shall be licensed by CLA to members of the CLA. The members may use the certification mark to certify that their leather product has been treated to meet the standards set out in *Testing Required to Demonstrate Compliance* below, in accordance with these rules. To qualify CLA members to use the certification mark, the treated leather quality must have been tested and pass the requirements set out by the CLA at a CLA certified laboratory.

**3. Certified Characteristics**

This standard details the terminology to be used to accurately inform the commercial specifier, furniture manufacturer and end user so as to make certain that the leather type they specify or purchase is the type that is represented by the leather wholesaler. The terminology is as follows:

"A general term for hide or skin with its original fibrous structure more or less intact, tanned to be imputrescible. The hair or wool may or may not have been removed. Leather is also made from a hide or skin which has been split into layers or segmented either before or after tanning, but if the tanned hide or skin is disintegrated mechanically and/or chemically into fibrous particles, small pieces or powders and then, with or without the combination of a binding agent, is made into sheets or other forms, such sheets or forms are not leather. If the leather has a surface coating, this surface layer, however applied, must not be thicker than 0.15mm.

The leather is drum dyed with the natural grain removed, a heavy layer of pigment and protective finish is applied. The leather is then embossed with an artificial patterned grain, which provides a uniform appearance, no natural markings such as

scars, growth marks, fat wrinkles. Lower grade hides are selected for this type of leather treatment. Specific technical characteristics and test methods are described in TABLE A.1.C below.”

#### 4. Testing Required to Demonstrate Compliance

The recently published European Standards EN 13336 and test methods have been adopted by the CLA.

TABLE A.1.C - PIGMENTED & CORRECTED GRAIN		
LEATHER CHARACTERISTICS	RECOMMENDED VALUES	TEST METHODS
Colourfastness to to-and-fro rubbing	Change of leather colour and pad staining  Dry 500 cycles, min. 4 greyscale Wet 250 cycles, min. 3/4 greyscale Perspiration 80 cycles, min. 3/4 greyscale  Whilst these values are typical of those expected, it is advisable to issue appropriate guidance with upholstered furniture to inform customers of likely performance, as well as in service care and maintenance instructions, to avoid unnecessary problems.	EN ISO 11640 EN ISO 11641
Colourfastness to light	Min. 5 blue scale	EN ISO 105-B02
Finish adhesion	Min. 2N/10mm	EN ISO 11644
Flexing endurance	50,000 cycles (no finish damage cracks)	EN ISO 5402
pH and $\Delta$ pH	Min. 3.2. If the pH value is below 4, $\Delta$ pH $\leq$ 0.7	EN ISO 4045
Tear strength	Min. 20 N	EN ISO 3377-1

#### 5. Fee for the Use of the Certification Mark

The license fee for the use of the certification mark, is included with the annual CLA membership payment of \$1,000.00.

#### 6. Dispute Resolution

Disputes with respect to the product meeting the specifications set out for the certification mark will dealt with by the CLA *Procedure for dealing with breaches of the CLA Guidelines*, set out in annexure A;

#### 7. On-Going Requirements for the Use of the Certification Trade Mark

It is the responsibility of the CLA Executive Committee to monitor and report on compliance of the code by CLA members and CTM users; we refer to annexure B point H.

Licenses for use of the CTM are include in the users CLA membership and is to be renewed annually.

At the time of renewal of the users CLA membership the user will be required to pass the CLA testing requirements in relation to the certified trade mark.

## **8. Additional Information**

The Commercial Leather Association of Australia and New Zealand Limited (CLA) has been established as a forum for the Commercial and High End Residential Leather Industry to provide its customers with update and relevant industry standards and information that will be of benefit in the understanding and use of commercial and high end residential leathers, and to promote the use of leather as a preferred upholstery material.

The CLA was established in early 2005 and currently has four (4) Australia and two (2) New Zealand members.

Please refer to Annexure C for further information of CLA.

**(ANNEXURE A)**

**COMMERCIAL LEATHER ASSOCIATION  
OF AUSTRALIA AND NEW ZEALAND LIMITED**

**Procedure for dealing with breaches of the CLA Guidelines.**

**First Breach**

First letter of warning sent to offender by fax or mail within 7 days of CLA meeting.

If required the CLA may seek from offender a letter of undertaking requiring self audited compliance program. If the Executive Committee deems this first breach to be a serious infringement the CLA has the right to expel the offending member.

**Second Breach**

If a subsequent breach occurs, or if undertakings are not given, or evidence of full compliance with undertaking is not supplied.

A letter to show cause is sent to offender requesting response within 7 days and advising that testing may be required at infringing members expense.

CLA Executive meets to deliberate on findings and offenders response and to make recommendations on further action.

Where there is a Guidelines/Code of Practice breach which also amounts to prima facie breach of the Trade Practices Act, the matter will be referred to the ACCC for whatever action is considered appropriate.

**Third Breach**

In the event of a third offence of non-compliance the company will be suspended from membership of the CLA. Readmission will be re-assessed after a period of 12 months has elapsed.

Upon confirmation that a breach has occurred a letter to show cause is sent to repeat offender requesting response with 7 days and advising that testing may be required (at offending members expense).

CLA Executive meets to deliberate on findings and offenders response and to make recommendations on further action, which may include:

- Customers will be notified of the participant's suspension from the CLA.
- Request ACCC to seek enforceable undertakings.
- Suspension from membership of CLA and publication of suspension.
- Institute legal proceedings for damages, an injunction, or other court orders aimed at preventing further breaches.

### **Records to be kept**

In accordance with the requirements of the ISO 9000 series records that enable the traceability of transactions and procedures are to be maintained. This also specifically includes:

- complaints received
- actions taken against complaints
- applications for the program and certificates

### **Dispute Resolution**

In the event of any unresolved dispute samples shall be referred to a registered laboratory, The British Leather Council, Reutlingen Leder Schule, Germany or a similar independent accredited laboratory.

If the parties have not agreed upon an independent laboratory within seven days after the second breach the independent laboratory is appointed by the CLA acting on the request of any party to the dispute.

The parties must pay the laboratory remuneration in equal shares.

**COMMERCIAL LEATHER ASSOCIATION  
OF AUSTRALIA AND NEW ZEALAND LIMITED**

**CLA Charter**

**A. Principles of Fair Practices**

Members are expected to observe good business and marketing practices for commercial leather and to observe the provisions of the CLA guidelines.

They must also agree not to engage in conduct that is misleading or deceptive or that is likely to mislead or deceive or engage in any other conduct in breach of the Trade Practices Act. It is expected that members will seek to comply with the spirit of the CLA's charter as well as complying with the specific guidelines.

**B. Membership Requirements**

To be admitted to the CLA members must fulfil the following requirements:

1. Submission of a completed application.
2. Payment of membership fee.
3. Agree to abide by the Code of Practice.

**C. Membership Entitlements**

Upon the completion of the membership requirements of the CLA participants will receive:

1. A bromide of the CLA logo and CLA leather type symbol for use on members promotional material.
2. A membership certificate
3. A specified number of CLA guidelines brochures.

**D. Manufacturing/Retail Participation**

Manufacturing/Retail participation and involvement in support of the CLA guidelines is an important element to ensure the program has full access to the consumer level.

Therefore, to demonstrate support and commitment the CLA certificate is available for participating manufacturing/retailers. This level of participation is open to all manufacturing/retailers and requires the manufacture signing of the declaration application form. The signing of this form entitles the retailer to access to CLA specific retail promotional material ie Guidelines booklets.

**E. Logos and Insignia**

The Executive may from time to time develop, own and licence to members logos, insignia or other devices which proclaim or certify a person to be a co participant to the CLA.

**F. Use of Logo**

Signatories only are entitled to employ logos, insignia, or other devices proclaiming or certifying a person to be a CLA member. In recognition of the phased nature of the CLA guidelines participants shall only employ the appropriate logos to which they are entitled.



## **G. Administration**

The code will be administered by an Executive Committee (EC).

- a. The Executive will appoint at most three individuals to be members of the (EC) and additionally where required a representative from an independent test laboratory will be invited to consult upon a particular issues(s).
- b. Where a potential conflict of interest arises on matters before the EC, the chair shall invite another representative from the nominating body, to participate, in lieu of the member of whom the potential conflict arises.
- c. A quorum for meeting of the EC shall be two or three depending upon the number of EC members attending a particular meeting.

## **H. Committee Functions**

The Executive Committee will be responsible for:

- Monitoring and reporting on compliance with the Code.
- Adjudicating on complaints about breaches of the Code.
- Recommending remedial action for non-compliances with the Code.
- Conducting periodic reviews of the effectiveness of the Code and its procedures and, where appropriate, recommending amendments.
- Ensuring agreed sanctions are enforced on members in breach of the Code.
- Preparing budgets and financial reports.
- Ensuring appropriate records are kept to substantiate claims.
- Initiating development of guidelines of technical importance to the industry.

## **I. Remedial Action**

Where a breach of the code has been determined, the EC, where necessary will seek corrective action to be undertaken by the CLA member and, where appropriate, recommend remedial action.

## **J. Guide to Remedial Action**

Amongst the possible types of remedial action that may be recommended are:

- Cessation of conduct including withdrawal of advertising.
- Corrective advertising.
- Pay administrative costs associated with investigation of complaints.
- Pay testing and associated cost where testing is required.
- Write to manufacturers and retailers and stockists.

## **K. Referral to Regulatory Authority**

Where a CLA member fails to undertake such recommended action within a reasonable period as specified in the notification, repeats a breach of the Code, or where it is alleged that the Code is breached by a non-participant and it is brought to the attention of the Executive Committee that circumstances may involve a breach of trade practices or fair trading legislation, the EC shall notify and provide full details of the possible breach to the appropriate regulatory authority for investigation. In these circumstances the EC may suspend the CLA member pending the outcome of the investigation. The EC may reinstate the participant if it receives further information, which satisfies it that the suspension is no longer appropriate.



# standards guide

## **MISSION STATEMENT**

The CLA has been established  
as a forum for the Commercial and  
High End Residential Leather Industry  
to provide its customers with  
updated and relevant industry standards  
and information that will be of benefit in  
the understanding and use of commercial  
and high end residential leathers,  
and to promote the use of leather as a  
preferred upholstery material.

## INTRODUCTION

The Commercial Leather Association of Australia and New Zealand (CLA) has been established to provide, for the first time, the Australian and New Zealand design, furniture and wider community with a set of definitions and standards for upholstery leather.

The aim of the CLA standards and symbols is to ensure that the commercial and high end residential leather market and its clients are provided with accurate information about the different leather types available and their qualities so that informed decisions can be made when specifying and purchasing upholstery leather.

It is the CLA's and its members' charter and intention to continue to inform and educate the market on leather, leather standards and end use applications.

The CLA standards are based upon the European Union standards EN 13336 effective September 2004 and implemented in Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland and United Kingdom.

The definitions used in these guidelines are referenced from the International Glossary of Leather Terms (IGLT).

## CLA MEMBERS

The CLA is the authoritative voice of the commercial and high end residential leather industry and includes commercial and high end residential leather wholesalers. Its aim is to ensure that independent and accurate standards are developed and made available to the commercial and high end residential design and furniture industries.

Membership is open to any upholstery leather wholesaler who agrees to comply with the code of conduct and whose leathers meet the definitions and standards as established by the association.

The CLA represents the major commercial and high end residential leather wholesalers including:

- CONTEMPORARY LEATHERS
- INSTYLE TEXTILES AND LEATHERS (NZ)
- H. LEFFLER & SON
- PELLE LEATHERS
- VIVID TEXTILES (NZ)
- WOLLSDORF LEDER
- WOVEN IMAGE

# SCOPE

This Standard details the terminology to be used to accurately inform the commercial specifier, furniture manufacturer and end user so as to make certain that the leather type they specify or purchase is the type that is represented by the leather wholesaler.

# DEFINITIONS

**LEATHER:** A comprehensive Glossary of Leather Terms has been issued by the International Council of Tanners (ICT) and defines leather as follows:

"A general term for hide or skin with its original fibrous structure more or less intact, tanned to be imputrescible. The hair or wool may or may not have been removed. Leather is also made from a hide or skin which has been split into layers or segmented either before or after tanning, but if the tanned hide or skin is disintegrated mechanically and/or chemically into fibrous particles, small pieces or powders and then, with or without the combination of a binding agent, is made into sheets or other forms, such sheets or forms are not leather. If the leather has a surface coating, this surface layer, however applied, must not be thicker than 0.15mm". ICT 1999

## TYPES OF LEATHER COMMONLY USED

**IN FURNITURE:** The following descriptions shall be used to describe the various types of leather. Where a CLA member's leather conforms to the standards, it is mandatory to display the following descriptions and or symbols in full at the point of sale ie sampling, information brochures, web sites etc.

These definitions have been included for the benefit of specifiers, furniture manufacturers and end users to enable them to make an informed decision regarding the differences and qualities of the different leather types.

## FULL/PURE ANILINE

Leather that has been drum dyed without pigment applied to surface. A light protective coating is sometimes added. It will exhibit all natural features such as scars, growth marks, fat wrinkles etc. Only the best raw hides are selected for this leather type. Requires regular care.

## NUBUCK (LEATHER SUEDE)

Drum dyed aniline leather where the surface grain has been buffed, which may or may not have been treated with any protective coating. Requires regular care with nubuck specific care products.

## PULL UP ANILINE

Drum dyed aniline leather with a top coat of oil and/or wax effects, designed to exhibit a 'distressed look'. Exhibits all the natural features such as scars, growth marks, fat wrinkles etc. Requires regular care.

## SEMI-ANILINE

Drum dyed leather incorporating a small amount of pigment and protective finish however this finish does not conceal all the natural characteristics of the hide. Requires regular care.

## PIGMENTED LEATHER

Drum dyed with thicker layer of pigment and protective finish applied. These finishes will conceal natural markings such as scars, growth marks, fat wrinkles etc. Lower grade hides are selected for this type of leather. Requires regular care.

## CORRECTED GRAIN

Drum dyed with the natural grain removed, a heavy layer of pigment and protective finish is applied. The leather is then embossed with an artificial patterned grain, which provides a uniform appearance, ie. no natural markings such as scars, growth marks, fat wrinkles etc. Lower grade hides are selected for this type of leather. Requires regular care.

## **REGULAR CARE**

For the purposes of this Standard, regular care means the application of commercially available leather care products, used in accordance with care label instructions.

The following definitions are included for reference only.

## **SPLITS**

Re-coated embossed leather made from the under layers of hide.

## **LAMINATED SPLITS**

Lower layers of hide laminated to a surface coat.

## **BY CAST**

Uses the lower split, with a film of coloured polyurethane applied.

## **PLEASE NOTE:**

1. Splits and Laminated Splits are not recommended for use on furniture, as they are suited only for shoe inners, work boots some belts etc.

2. By Cast does not appear in the IGLT (1999) and the CLA warns against the use of this material.

3. Leather Standards - for each Leather Type

To qualify CLA members to use the CLA Leather Type Symbols each leather quality must have been tested at a certified laboratory to the appropriate CLA Leather category test standards test methods.

The recently published European Standards EN 13336 and test methods have been adopted by the CLA as the most appropriate standards and test methods.

The leather standards and test methods for each leather type are listed in Annex A (Table A.1a - Aniline, Nubuck and Pull Up, Table 1B - Semi-Aniline and Table 1C - Pigmented and Corrected Grain).

## **FIRE STANDARDS**

As fire standards vary greatly, specifiers and end users must inform themselves via the fire department, Building Code of Australia (BCA) or relevant government authorities of the appropriate standards required for a particular project, location or end use situation.

# LABELLING AND USE OF CLA IDENTIFYING SYMBOLS

Labels for each type of leather will use the following symbols for ease of identification.



ANILINE LEATHER™



NUBUCK LEATHER™



PULL UP LEATHER™



SEMIANILINE LEATHER™



PIGMENTED LEATHER™



CORRECTED GRAIN LEATHER™

To use the CLA symbols CLA members must meet the definition of leather under the CLA standards Glossary and pass the tests as per Annex A.

CLA members can use these symbols either singly or together, for example:



or



NUBUCK LEATHER™



or



PIGMENTED LEATHER™

It is mandatory for CLA Members to include the leather type in their description shown on samples, invoices, websites and other such documents. This can be done by using the identifying symbols and leather type name as in Clause 4 of this document.

## COMPLIANCE

CLA Members making a statement of compliance with this CLA Standard on a product, packaging or promotional material related to that product must ensure that such compliance is capable of being independently verified.

In the event of any dispute samples shall be referred to a registered laboratory, The British Leather Council, Reutlingen Leder Schule, Germany or a similarly accredited laboratory.

## END USE APPLICATIONS

All leather types (as described in 2.3) have been used successfully in both residential and commercial applications.

The CLA recommends that specifiers, retailers and manufacturers take care to ensure that the leather specified is appropriate for each individual project. Please refer comments in Recommended Values Column of Annex A.

Clients should be advised to discuss leather types and their suitability in relation to individual projects with the relevant CLA member. It is important that the client understands the various qualities of each leather type.

# ANNEX A (normative)

## A.1 Essential characteristics, recommended values and test methods for upholstery leather for furniture.

LEATHER CHARACTERISTICS	RECOMMENDED VALUES	TEST METHODS
Colourfastness to to-and-fro rubbing	Change of leather colour and pad staining  Dry 50 cycles, min. 3 greyscale Wet 20 cycles, min. 3 greyscale Perspiration 20 cycles, min. 3 greyscale  Whilst these values are typical of those expected, it is advisable to issue appropriate guidance with upholstered furniture to inform customers of likely performance, as well as in service care and maintenance instructions, to avoid unnecessary problems.	EN ISO 11640 EN ISO 11641  *perspiration solution is defined in EN ISO 11641
Colourfastness to light	Min. 3 blue scale	EN ISO 105-B02
pH and $\Delta$ pH	Min. 3.2. If the pH value is below 4, $\Delta$ pH $\leq$ 0.7	EN ISO 4045
Tear strength	Min. 20 N	EN ISO 3377-1

LEATHER CHARACTERISTICS	RECOMMENDED VALUES	TEST METHODS
Colourfastness to to-and-fro rubbing	Change of leather colour and pad staining  Dry 500 cycles, min. 4 greyscale Wet 80 cycles, min. 3/4 greyscale Perspiration 50 cycles, min. 3/4 greyscale  Whilst these values are typical of those expected, it is advisable to issue appropriate guidance with upholstered furniture to inform customers of likely performance, as well as in service care and maintenance instructions, to avoid unnecessary problems.	EN ISO 11640 EN ISO 11641
Colourfastness to light	Min. 4 blue scale	EN ISO 105-B02
Finish adhesion	Min. 2N/10mm	EN ISO 11644 Dry Adhesion
pH and $\Delta$ pH	Min. 3.2. If the pH value is below 4, $\Delta$ pH $\leq$ 0.7	EN ISO 4045
Tear strength	Min. 20 N	EN ISO 3377-1

LEATHER CHARACTERISTICS	RECOMMENDED VALUES	TEST METHODS
Colourfastness to to-and-fro rubbing	Change of leather colour and pad staining  Dry 500 cycles, min. 4 greyscale Wet 250 cycles, min. 3/4 greyscale Perspiration 80 cycles, min. 3/4 greyscale  Whilst these values are typical of those expected, it is advisable to issue appropriate guidance with upholstered furniture to inform customers of likely performance, as well as in service care and maintenance instructions, to avoid unnecessary problems.	EN ISO 11640 EN ISO 11641
Colourfastness to light	Min. 5 blue scale	EN ISO 105-B02
Finish adhesion	Min. 2N/10mm	EN ISO 11644
Flexing endurance	50,000 cycles (no finish damage cracks)	EN ISO 5402
pH and $\Delta$ pH	Min. 3.2. If the pH value is below 4, $\Delta$ pH $\leq$ 0.7	EN ISO 4045
Tear strength	Min. 20 N	EN ISO 3377-1



**MEMBERS OF THE  
COMMERCIAL LEATHER ASSOCIATION  
OF AUSTRALIA & NEW ZEALAND**

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