

REGULATIONS

for the issue by the Wine Stabilization Fund of Certificate for the use of a Trade Mark corresponding to proposed Australian Trade Mark Registration No. 283,819 in class 32 Part C in respect of Wines.

DEFINITIONS

1. In these regulations unless there be anything in the context inconsistent therewith;
 - (a) "Trade Mark" means the Australian Trade Mark registered in Australia under No. 283,819
 - (b) "The Fund" means the German Wine Stabilization Fund.
 - (c) "Person" means any individual, firm or body corporate.
 - (d) "German Wine Law" means the Law regarding wine, fortified wine, sparkling wine, wine-containing beverages and brandy (Wine Law) dated July 14, 1971 published in the Federal Law Publication Part 1, page 893.
 - (e) "Authorised User" means any person for the time being entitled under the provisions of the German Wine Law to use the Trade Mark.

PROPRIETORSHIP

2. The Trade Mark is the absolute property of the Wine Stabilization Fund and may not be used by any person otherwise than in accordance with these Regulations.

CONDITIONS IN REGARD TO AUTHORISATION OF USE

3. The Trade Mark shall be used only in relation to goods of the following specification, that is to say :
Wine entitled by reason of geographical origin and quality to be designated LIEBFRAUENMILCH

under the relevant Federal German Wine Law of July 14, 1971 as administered under the first regulation of the State of Rheinland-Pfalz dated August 12, 1971.

4. Any Person who complies with the conditions laid down in the aforesaid law shall be entitled to use the Trade Mark.

CONDITIONS AS TO USE OF THE TRADE MARK

5. Subject to the provisions of these Regulations the right to use the Trade Mark shall continue for as long as the User complies with the requirements of the aforesaid Law.

6. The manner of use of the said Trade Mark shall be as follows:

(i) The Trade Mark shall only be used in conjunction with an official control number issued by the responsible State Authority.

(ii) In making use of the said Trade Mark the User shall not alter the spelling of the same in any respect whatsoever provided that nothing in these Regulations shall interfere with the right of the User to apply also his own Trade Mark to goods with which he is or may be connected in the course of trade.

7. If a User employs the Trade Mark in such a way as to cause an infringement of the Trade Marks Act 1955-1958 or of any Act or Acts for the time being in force relating to Certification marks, he shall render himself liable to prompt prosecution.

APPEALS

8. In the event of the issue of a control ~~number~~ being refused or control member being cancelled by the State Authority the person concerned shall during the period of thirty days immediately succeeding the date of such refusal or cancellation have the right to appeal against such refusal or cancellation to the Registrar of Trade Marks, Canberra, A.C.T. provided that he at the same time gives notice of such appeal to the Fund. The decision of the Registrar on such appeal (after submission to him of such written and/or verbal representations as the parties desire to make or as he shall require) shall be final and binding on the Fund and the person concerned.

POWER TO AMEND

9. Should the German Wine Law at any time be changed then the Proprietor shall promptly advise the Registrar of Trade Marks in writing of such changes.

10. The seat of the Fund is at 65 Mainz am Rhein, Hause des Deutschen Weines, Gutenbergplatz 3-5, Federal Republic of Germany.