



Australian  
Competition &  
Consumer  
Commission

1) R  
2) M. Pilger

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

Our Ref: C2003/1263  
Your Ref:  
Contact Officer: Isabelle Arnaud  
Contact Phone: 02 6243 1049

2 November 2004

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

IP Australia  
03 NOV 2004

Dear Registrar

**Certification Trade Mark Application 953018 – Urban Rainwater Systems Pty Ltd**

The Commission, in accordance with the provisions of the *Trade Marks Act 1995*, has completed its final assessment of the above Certification Trade Marks.

A certificate detailing the Commission'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 me on 6243 1049.

Yours sincerely

Isabelle Arnaud  
Director, Adjudication





**Australian  
Competition &  
Consumer  
Commission**

**Final Assessment of Certification Trade Mark Application 953018 lodged by the Urban Rainwater Systems Pty Ltd**

The Australian Competition and Consumer Commission (the Commission), 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 Commission'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.....1 NOVEMBER 2004.....

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

Rules for the Use of the 'RW' Certification Trade Mark.

  
.....  
Commissioner

21-11-04  
.....  
Date

#### Preamble

Domestic rainwater tanks have been an icon in rural Australia for 150 years.

All State Governments support the use of rainwater tanks in both the rural and urban environments provided the system complies with certain protocols as well as State and local plumbing and health regulations.

There is, however no certifying mark which gives consumers confidence that the rainwater tank system they are purchasing is compliant with regulations, protocols and best practice.

*Urban Rainwater Systems Pty Ltd* seeks to provide an education platform, and a vehicle by which domestic rainwater tank systems can be certified in such a manner that consumers can have confidence in the integrity of the rainwater system from which they may be consuming rainwater.

If rainwater tank systems are manufactured and assembled according to 'the features and protocols' the system can be certified to the highest quality possible. The 'RW' Certification Trade Mark (RW CTM) indicates that the system is of this standard.

The features and protocols are;

1. The rainwater tank system is designed and constructed according to the "*EnHealth Monograph - Guidance on the use of rainwater tanks*".  
inc.
  - ❖ Non asbestos or lead roofing materials
  - ❖ Australian Standard complying gutters and downpipes
  - ❖ Tank material complying with all Australian Standards
  - ❖ An appropriate 'first flush device'.
  - ❖ Adequate mosquito protection
  - ❖ Tank is sealed with covers and lids.
  - ❖ The system is labelled with advice that the rainwater tank is to be automatically or regularly 'desludged'
2. A 50 micron 'in line' water filter is part of the system and has a label advising that the filter is to be regularly checked and replaced.
3. The rainwater tank system is constructed and assembled consistent with Australian Standard AS/NZS 3500.
4. The system is provided with an operation manual that gives advice regarding plumbing, installation and system maintenance.
5. The notions contained within the "*Australian Drinking Water Guidelines*" (ADWG) published by the "*National Health and Medical Research Council*" (NHMRC) are referenced in the rainwater tank system operation manual.
6. All fittings and pipework comply with the relevant Australian Standards.
7. The RW CTM is applied only by an accredited, licensed plumber or other person authorised to audit the system and issue the RW CTM.

### **Approved Certifiers**

Approved certifiers are accredited and licensed plumbers approved by local water authorities and/or other persons trained and approved to audit rainwater tank systems with a view to certifying the rainwater tank system for the RW CTM.

The current list of approved certifiers (known as *RW Rules, Appendix A*) is maintained at the offices of *Urban Rainwater Systems Pty Ltd*, St. Patrick's Commercial Centre, 16 Cambridge St. SINGLETON NSW 2330. Telephone 02.6571.8888.

### **Goods Which Can Be Certified.**

Only household rainwater systems complying with the system features and protocols may be certified by the authorised certifier.

### **Conditions of Use**

The RW CTM must be clearly visible to consumers of water from the certified domestic rainwater system.

It is applied to all taps and outlets in the household to signal to users that the water coming from the tap may be rainwater from a correctly manufactured and assembled rainwater system.

The RW CTM is also to be applied to the rainwater tank, exposed rainwater pipework and to plastic tape inserted in the same trench as any rainwater pipe.

When applied it is applied over a jade green background consistent with AS 1345.

### **Settlement of Disputes**

Any dispute arising from a refusal to certify a rainwater tank system will in the first instance be referred to the Urban Rainwater Systems certification team for a ruling.

The Urban Rainwater Systems certification team will consist of three (3) persons knowledgeable in the protocols and compliance required for certification.

If the dispute is not resolved at this forum it will be referred to the Australian Commercial Disputes Centre for settlement.