

FREEHILLS
PATENT ATTORNEYS

PATENTS TRADE MARKS DESIGNS

TEA 2
TSD 32

15 January 1999

Our ref SMS:JPB 40073478

Phone 03 9288 1013

Doc no MELCD\99015001.8

The Registrar of Trade Marks
IP Australia
Level 6
565 Bourke Street
MELBOURNE VIC 3000

Dear Sir

Australian Trade Mark Application No. 704779 in the name of Veuve Clicquot Ponsardin, Maison fondé en 1772 for COLOUR ORANGE in classes 32 and 33

We enclose the following documents:

- 1 Application for an extension of time under section 224;
- 2 Statutory Declaration in support;
- 3 our cheque for \$130 being the prescribed fees.

Yours faithfully

Freehills Patent Attorneys

FREEHILLS PATENT ATTORNEYS

Enc

Actioned
25/1/99
Y.

IP Australia

Documents received on:

15 JAN 1999

Melbourne

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Batch No:

OFFICES IN MELBOURNE AND SYDNEY

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Application for an Extension of Time under Section 224

1 Trade Mark No.(s) (Please enter in numeric order)

704779		
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in the name of

Veuve Clicquot Ponsardin, Maison fondée en 1772	ACN/ ARBN
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2 Details of applicant for extension of time

Name

Veuve Clicquot Ponsardin, Maison fondée en 1772	ACN/ ARBN
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Address

12, rue de Temple, 51100 Reims

State	Postcode	Country
		France

Address for Service in Australia

FREEHILLS PATENT ATTORNEYS Level 47, 101 Collins Street, Melbourne, Vic 3000

Telephone no. (03) 9288 1577 AIPO speed dial no: 553	Facsimile no. (03) 9288 1567	Reference
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3A Application is made under Section 224 for an extension of time because of:

(Tick appropriate box)

<input type="checkbox"/> Error or omission by a trade marks officer	<input type="checkbox"/> Circumstances beyond the control of the person concerned
<input type="checkbox"/> Error or omission by the person concerned or by his or her agent	<input checked="" type="checkbox"/> Special circumstances

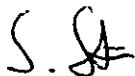
for an extension of time of month(s) from 16 January 1999 to 16 March 1999

B The facts on which the above grounds are based are set out in the accompanying declaration.
(if the application is late, the declaration must also include the reasons why the application was not made before the period ended)

C The proceeding for which an extension of time is required is: (Tick appropriate box)

<input checked="" type="checkbox"/> Acceptance of an application	<input type="checkbox"/> Application for an Award of Costs
<input type="checkbox"/> Registration of a trade mark	<input type="checkbox"/> Filing a Bill of Costs
<input type="checkbox"/> Filing a Notice of Opposition to removal of a trade mark from the Register for non-use	

Signature



Signature

STEPHEN STERN

A Patent Attorney/Solicitor in the firm of
FREEHILLS PATENT ATTORNEYS
Patent Attorneys for the applicant

IP Australia January 1999

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AUSTRALIA

Trade Marks Act 1995

IN THE MATTER of Australian Trade Mark Application No. 704779 in the name of **VEUVE CLICQUOT PONSARDIN**

- and -

IN THE MATTER of the examiner's objection thereto

STATUTORY DECLARATION

I, **JOHN PATRICK HUMPHRYS BARKER**, of 101 Collins Street, Melbourne, Victoria 3000, Solicitor, **DO SOLEMNLY AND SINCERELY DECLARE** as follows:

- 1 I am a solicitor in the employ of Freehill Hollingdale & Page, the trade mark attorneys for the Applicant in relation to this application. I am authorised to make this Statutory Declaration on behalf of the Applicant.
- 2 I make this Statutory Declaration from my own knowledge.
- 3 This application was filed on 19 March 1996. The examiner's first report was dated 16 January 1997, giving a due date for acceptance of this application of 16 April 1998.
- 4 The date for acceptance of this application was extended on a number of occasions by the Trade Marks Office without application by the Applicant in acknowledgment of the delays of the Trade Marks Office and the fact that the examiner had altered the basis for his objection after several reports had already been received and responded to. The current due date for acceptance of this application is 16 January 1998.
- 5 The examiner's ninth and final report was dated 13 November 1998. Shortly after the receipt of this report, on 2 December 1998, the Applicant sought a hearing of this application. This application will now be heard in Melbourne on 3 February 1998.
- 6 The Trade Marks Office has advised that the due date for acceptance of a trade mark must occur at least one month after the date of the hearing of that application. Consequently,

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15 JAN 1999

Melbourne

Mark H.K.
MARK HEINRICH KRENZER

the Applicant requests that the due date for acceptance of this application for a further period of two months to 16 March 1999.

7 As the due date for acceptance has been extended by a period of more than 21 months, the Applicant is required, pursuant to Regulation 4.12 of the Trade Marks Regulations 1995, to make an application under Section 224 of the Trade Marks Act 1995 for an extension of the due date for acceptance of this trade mark application.

8 For the reasons set out above, I believe, and I am aware that the applicant believes, that special circumstances exist for the granting of a further extension of the due date for acceptance of this matter.

AND I MAKE THIS STATUTORY DECLARATION believing the same to be true and correct in every particular.

DECLARED by the said
JOHN PATRICK HUMPHRYS BARKER
in the State of Victoria
this 14th day of **JANUARY** 1999



Before me: Mark A Krenzer

MARK HEINRICH KRENZER
Freehill Hollingdale & Page
101 Collins Street Melbourne
A natural person who is a current
practitioner within the meaning of
the Legal Practice Act 1996.