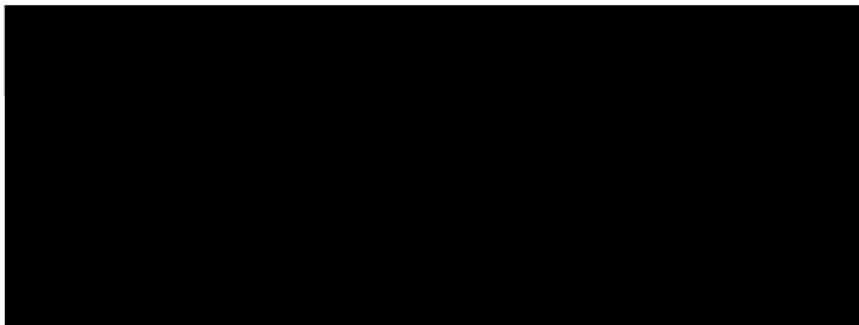




17 June 2021



**Notice of Decision on Freedom of Information (FOI) Request - Trade Mark No. 839330.**

Dear

I am writing to advise you of my decision on your request dated **11 June 2021**.

**Authority to make decision**

I am an authorised decision-maker under section 23 of the *Freedom of Information Act 1982* (Cth) (the FOI Act). My name and designation appear at the end of this letter.

**No charges payable**

I have decided not to impose any charges for the work involved in processing your request, in accordance with the FOI Act and the *Freedom of Information (Charges) Regulations 1982* (Cth).

**Background**

In your request of 11 June 2021 you wrote:

" Adverse report dated 18 January 2001 in relation to AUTM 839330 for SHORTCUTS in the name of Shortcuts Software Pty Ltd in classes 9 and 42."

On 17 June 2021 I conducted a search of electronic file system and concluded that no electronic copies of documents were contained on the file in relation to Trade Mark no. 839330.

I then contacted IP Australia's Record Management team to confirm whether a hard copy of the trade mark file was still held by the agency.

On 17 June 2021 a member of the records management team advised me that the paper file had been destroyed in line with the IP Australia procedures.

**Requests may be refused if documents cannot be found, do not exist or have not been received - Section 24A**

I am writing to advise that all reasonable steps have been taken by IP Australia to identify and locate the documents to which you seek access. I am satisfied that the documents you have requested do not exist (are not held by IP Australia). Consequently, I am formally refusing your request for access under section 24A of the FOI Act.

**Your review rights**

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

Under section 54 of the FOI Act, you may apply in writing to IP Australia for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter or 15 days from the date in which you receive access to the document, whichever is the longest period (section 54B of the FOI Act).

Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

**Information Commissioner review**

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

online:

[https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR\\_10](https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10)

email: [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au)

post: GPO Box 5218 Sydney NSW 2001

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to [https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/FOI Complaints](https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/FOI%20Complaints)

If you are not sure whether to lodge an Information Commissioner review or an Information Commissioner complaint, the Office of the Australian Information Commissioner has more information at: <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

**Contact**

If you have any questions regarding this notice, please do not hesitate to contact me in writing by email at [FOI@ipaustralia.gov.au](mailto:FOI@ipaustralia.gov.au).

Yours sincerely

Simon Henkel  
FOI Officer  
Office of Legal Counsel