Australian Customs Notice 1997 13

**SECTION 135 OF THE COPYRIGHT ACT 1968**

The operation of the Customs seizure provisions of the Copyright Act 1968 ("Copyright Act") was outlined in Australian Customs Notice 95/31 of 15 June 1995.

The following companies, having declared themselves to be the owners of the copyright material identified below, have given Notice under section 135 of the Copyright Act 1968. By this action, the companies have notified their objection to the importation of goods which allegedly infringe their copyright.

Unless revoked, these Notices shall remain in force until the end of the period of two years commencing on the date specified.

|  |  |  |
| --- | --- | --- |
| **Objector** | **Contact** |  |
| **TDK Australia Pty Ltd** | **Harris &amp; Hansen Solicitors &amp; Notaries Telephone : (02)9261 8533** |

**Material**

**The literary and artistic works comprised in the following items associated with TDK products : the TDK diamond logo, the artistic works (including without limitation images, diagrams and overall designs) appearing on TDK packaging and/or products; the literary works (including without limitation technical information, translations, and promotional information) appearing on TDK packaging or accompanying TDK products.**

**Commencement Date : 22 November 1996 Canberra File : C96/12369**

|  |  |  |
| --- | --- | --- |
| **Objector** | **Contact** |  |
| **Omega Foods Pty Ltd** | **Omega Foods Wines &amp; Spirits (08) 346 6499** |

**Material**

The literary and artistic works contained within the labels of and related to Metaxa "The Greek Spirit" 3 stars, 5 stars and 7 stars; Ouzo 12

**Commencement Date : 22 November 1996 Canberra File : C96/11262**

The companies have also provided Customs with the details of importers who have been authorised to bring in a wide range of products bearing copyright material covered by the Notice. Persons requiring further details in this regard should contact the company representative on the number supplied.

Goods identified by Customs at the border as potentially infringing copyright (being imports on which the logos described above has been used without authorisation) will be seized by Customs. Upon seizure of any goods by Customs, the objector may take court action under the Copyright Act against the person importing those goods.

Copies of the Notices have been forwarded to Managers, Trade Facilitation, Australian Customs Service, in the capital city of each state and the Northern Territory. Further information about the control regime may be obtained from those officers.

(R.J. Mitchell) National Manager Cargo Facilitation

for Chief Executive Officer CANBERRA ACT 2601

13 February 1997

(Cargo Facilitation : C96/12369, C96/11262) ATTACHMENT A

# COMMERCE PROHIBITIONS AND RESTRICTIONS

Regional Offices

FURTHER INFORMATION REGARDING CONTROLS ON THE INTELLECTUAL PROPERTY OF IMPORTED GOODS MAY BE OBTAINED BY CONTACTING:

# Canberra

Assistant Director

Intellectual Property Rights (Policy) Cargo Facilitation Branch

Customs House

5 Constitution Avenue

Canberra ACT 2600

Tel: 06 275 6571

Fax: 06 275 6997

# New South Wales

Chief Inspector

Commerce Prohibitions and Restrictions Level 3

ACS Link Road Office Mascot NSW 2020

Tel: 02 9317 7020

Fax: 02 9317 7156

# Victoria

Senior Inspector

Commerce Prohibitions and Restrictions 10th Floor

414 La Trobe Street Melbourne VIC 3000

Tel: 03 9244 8423

# Queensland

Inspector

Import Clearance Australia House 363 Adelaide Street

Brisbane QLD 4000

Tel: 07 3835 3291

Fax: 03 9244 8440 Fax: 07 3835 3337

# Western Australia

Senior Inspector

Commerce Prohibitions and Restrictions Customs House

2 Henry Street

Fremantle WA 6160

Tel: 09 430 1405

Fax: 09 430 1751

# South Australia

Inspector

Commerce Prohibitions and Restrictions Customs House

220 Commercial Road Port Adelaide SA %015

Tel: 08 47 9378

Fax: 08 47 9349

# Northern Territory

Inspector

Cargo Facilitation Customs House Harry Chan Drive Darwin NT 0800

Tel: 08 8946 9851

Fax: 08 8946 9953

# Tasmania

Inspector

Exports and Entry Processing 25 Argyle Street

Hobart TAS 7000

Tel: 002 30 1231

Fax: 002 30 1262