Australian Customs Notice 1997 34

**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.

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| --- | --- | --- |
| **Objector** |  | **Contact** |
| **Sydney Organising Committee for the Olympic Games** |  | **Ms Catherine McGill** |
|  |  | **Legal Counsel and Brand Manager** |
|  |  | **Telephone : (02) 9297 2000** |

**Material**

**The artistic works contained in the design and representation of each of the Sydney Olympic mascots and the artistic work contained in the names of the mascots. Copyright is also claimed in respect of the overall mascot group design and representation.**

|  |  |  |
| --- | --- | --- |
| **Commencement Date : 11 March 1997** |  | **Reference File : C97/02014** |

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| **Objector** |  |  |  |  |  |  |  | **Contact** |
| **Nintendo Company Limited** |  |  |  |  |  |  |  | **Purves Clarke Richards, Solicitors** |
|  |  |  |  |  |  |  |  | **(03) 9612 8222** |

**Material**

**All items of software, and related packaging and instruction booklets, in which the copyright is exclusively attributed to Nintendo of America Inc and/or Nintendo Corporation Limited. Copyright so attributed subsists in the literary work, the sound recording and the cinematographic film comprised in all software and the literary and artistic work comprised in the packaging and instruction manuals.**

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| **Commencement Date : 11 March 1997** |  | **Reference File : C97/02018** |

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 Notices. Persons requiring further details in this regard should contact the relevant contact shown on page 1 of this Notice.

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 Commerce Prohibitions and Restrictions Groups, 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 offices (see Attachment 1).

(R.J. Mitchell) National Manager Cargo Facilitation

for (L B WOODWARD)

Chief Executive Officer CANBERRA ACT 2601

4 April 1997

(Cargo Facilitation : C97/02014, C97/02018) ATTACHMENT 1

# COMMERCE PROHIBITIONS AND RESTRICTIONS

Regional Offices

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

**Canberra**

**New South Wales**

Assistant Director

Chief Inspector

Intellectual Property Rights (Policy)

Commerce Prohibitions and Restrictions

Cargo Facilitation Branch

Level 3

Customs House

ACS Link Road Office

5 Constitution Avenue

Mascot NSW 2020

Canberra ACT 2600

Tel: 02 9317 7020

Fax: 02 9317 7156

Tel: 06 275 6571

Fax: 06 275 6997

**Victoria**

Senior Inspector

Commerce Prohibitions and Restrictions 10th Floor

414 La Trobe Street Melbourne VIC 3000

Tel: 03 9244 8423

Fax: 03 9244 8440

**Queensland**

Inspector

Import Clearance Australia House 363 Adelaide Street

Brisbane QLD 4000

Tel: 07 3835 3291

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 5015 Tel: 08 47 9378

Fax: 08 47 9349

**Northern Territory Tasmania**

Inspector

Inspector

Cargo Facilitation

Exports and Entry Processing

Customs House

25 Argyle Street

21 Lindsay St

Hobart TAS 7000

Darwin NT 0800

Tel: 002 30 1231

Tel: 08 8946 9851

Fax: 002 30 1262

Fax: 08 8946 9953