Australian Customs Notice 2002 48

**Notice of objection - Section 135 of the Copyright Act**

The operation of the Customs seizure provisions of the Copyright Act 1968 ("Copyright Act") was outlined in Australian Customs Notices 95/31 of 15 June 1995 and 00/02 of 12 January 2000.

The following company, having declared itself to be either the owner of the copyright material or the exclusive licensee identified below, has given Notice under Section 135 of the Copyright Act. By this action, the company has notified its objection to the importation of goods which allegedly infringe either its copyright or exclusive license agreement.

Unless revoked, this Notice remains in force until the end of the period of two years commencing on the date specified.

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| **New Line Productions, Inc.** | **Contact: Sprusons:Solicitors Ph: (02) 9207 0888** |
| Material |  |

Copyright is claimed in:

The cinematograph film entitled "The Lord of the Rings, The Fellowship of the Ring" ("the Film"). The sound broadcasting recorded in the Film.

The artistic work comprising the character drawings. The artistic works comprising the packaging artwork. The artistic works comprising the packaging elements.

The artistic works comprising the "merchandising banners". The artistic works comprising the "Lord of the Rings" logos.

Other artistic works comprising character artwork, fonts, name treatments and other works set out in the Style Guide.

The literary works comprised in computer software relating to, including or embodying any of the abovementioned works including computer game programs, downloadable on-line interactive computer game programs and computer game cartridges.

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| **Effective Date: 6 May 2002** | **File No: C02/03505** |
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| **Universal Music Australia Pty Limited Ph: (02) 9207 0500** | **Universal Music Australia Pty Limited** |
| Material |  |

Copyright is claimed in:

The musical works, literary works (lyrics, if printed), sound recordings,

artistic works (artwork in some instances), cinematograph films.

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| **Effective Date: 27 June 2002** | **File No: C02/05829** |
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| **OBJECTOR** | **CONTACT** |
| **H-D Michigan, Inc.** | **Baker &amp; McKenzie Ph: (02) 9225 0200** |
| Material |  |

Copyright is claimed in:

The literary and artistic works contained in the wording and logos of H-D Michigan, Inc. including: Harley-Davidson Motor Cycles 1903, 2003, 100 rectangle breaks shield in wing, grotesque device.

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| **Effective Date: 8 July 2002** | **File No: C02/05835** |
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These 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 will be seized by Customs. Upon seizure of any goods by Customs, the objectors may take court action under the Copyright Act against the person importing those goods.

A copy of the relevant Notice of Objection has been forwarded to the Customs office in the capital city of each State and Territory. Importers, or their advisers, who require further information regarding the Notices of Objection, or Customs' role in regard to those Notices, should contact the Commerce Prohibitions and Restrictions Group in the Australian Customs Service Office in their nearest capital city - see Attachment A.

Ken Riordan National Manager

Import/Export Management Branch for

Chief Executive Officer August 2002 Attachment A

**COMMERCE PROHIBITIONS AND RESTRICTIONS**

**Regional Offices**

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

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| **Canberra** | **New South Wales** |
| Customs Manager | Customs Supervisor |
| Intellectual Property Rights Policy | Commerce Prohibitions and Restrictions |
| Import/Export Management Branch  Customs House | Level 3  ACS Link Road Office |
| 5 Constitution Avenue | Mascot NSW 2020 |
| Canberra ACT 2600 | Tel: 02 9317 7020 |
| Tel: 02 6275 6418 | Fax: 02 9317 7156 |
| Fax: 02 6275 6699 |  |
| **Victoria** | **Queensland** |
| Customs Supervisor | Customs Supervisor |
| Commerce Prohibitions and Restrictions | Commerce Prohibitions and Restrictions |
| 13th Floor  414 La Trobe Street | Terrica Place  140 Creek Street |
| Melbourne VIC 3000 | Brisbane QLD 4000 |
| Tel: 03 9244 8423 | Tel: 07 3835 3268 |
| Fax: 03 9244 8440 | Fax: 07 3835 3493 |
| **Western Australia** | **South Australia** |
| Customs Supervisor | Senior Customs Officer |
| Commerce Prohibitions and Restrictions | Commerce Prohibitions and Restrictions |
| Customs House | Customs House |

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| 2 Henry Street  Fremantle WA 6160  Tel: 08 9430 1402  Fax: 08 9430 1391 | 220 Commercial Road Port Adelaide SA 5015 Tel: 08 8447 9378  Fax: 08 8447 9227 |
| **Northern Territory** | **Tasmania** |
| Senior Customs Officer | Customs Supervisor |
| Cargo Facilitation | Imports/Exports |
| Customs House  21 Lindsay Street | 25 Argyle Street  Hobart TAS 7000 |
| Darwin NT 0800 | Tel: 03 6230 1232 |
| Tel: 08 8946 9851 | Fax: 03 6230 1261 |
| Fax: 08 8946 9953 |  |