# AUSTRALIAN CUSTOMS NOTICE NO. 2007/64

**Notices of Objection to Importation**

***Copyright Act 1968***

The *Copyright Act 1968* allows the owner of the copyright, or the exclusive licensee, to object to the importation of goods that infringe copyright. The owner of the copyright, or the exclusive licensee, does this by lodging a Notice of Objection with the Australian Customs Service (Customs). Unless revoked, a Notice of Objection remains in force for a period of four years from the date of commencement.

The attached Schedule sets out the copyright owners, and exclusive licensees, who have lodged a Notice of Objection under the *Copyright Act 1968* since June 2007 (ACN 2007/34)*.* The Notices notify the objections of the copyright owners, and exclusive licensees, to the importation of goods that infringe their copyright. A description of where copyright is claimed is also set out in the Schedule.

A detailed list of all current Copyright Notices of Objection is available on the Customs website at [www.customs.gov.au](http://www.customs.gov.au/) > media publications and forms> Customs notices > Intellectual Property – Notices of Objection > copyright

Goods identified by Customs at the border as potentially infringing copyright are liable to be seized by Customs unless it can be established that:

* the goods are being imported otherwise than for the purposes of trade (sale, lease, hire, etc); or
* the goods do not infringe the copyright.

People who have been intending to import goods that may be liable to seizure under the provisions of the *Copyright Act 1968* should consider seeking advice from Customs, or a suitably qualified legal practitioner, as to the implications of the copyright legislation.

Copies of the relevant Notices of Objection have 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 respect of those Notices, should contact the Customs Information and Support Centre on 1300 363 263 or the Intellectual Property Rights Group on (02) 6275 6577.

John Potter

A/g National Manager

Trade Policy and Regulation for

Chief Executive Officer December 2007



# Schedule To ACN No. 2007/64 Copyright Notices of Objection

***Notices of Objection under the Copyright Act 1968 have been accepted for the following companies:***

**Apple Pty Ltd**

**Atomic Fashion Marketing Pty Ltd Guru Denim, Inc**

## Fitness Quest Inc

**Macmillan Publishers Australia Pty Ltd Pumpkin Patch Limited**

## Take 2 Interactive Software Pty Ltd Zippo Manufacturing Company

***The full details of the Notice of Objection for these companies can be found below. Apple Pty Ltd Clayton Utz***

***Ph: (02) 9353 4859***

***Effective Date: 16 August 2007 File Ref: C07/13147***

*Material*

Copyright is claimed in:

1. All literary and artistic works comprised, represented or embodied in the following items:
   1. The user’s guides, features guides, instruction manuals and warranty information published in connection with any of the following:
      * iPod
      * iPod Nano
      * iPod Shuffle
      * iPhone
      * iPhone Bluetooth Headset
      * iPod Hi-Fi
      * Nike + iPod

*(Further information regarding the works can be obtained by contacting the Intellectual Property Rights Group on (02) 6275 6577.*)

***Atomic Fashion Marketing Trade Mark Investigation Services Ph: (07) 3252 1083***

***Effective Date: 7 November 2007 File Ref: C07/18398***

*Material*

Copyright is claimed in:

1. The literary and artistic works depicted or represented in:
   1. Images of a girl or “Emily” in various forms;
   2. Images of “cat shadow”;
   3. Images of the “cat”;
   4. Words “Emily”, “Emily the Strange”, “The Strange”, “Visit if you Dare”,

“Never too Alone”, “Get Lost”, “Wicked Strange”, “Stranger’s Fortune Know Future”,

1. and other artwork or literacy works contained in the product catalogues.

***Guru Denim, Inc Cullen & Co***



***Ph: (07) 3011 5555***

***Effective Date: 1 August 2007 File Ref: C07/12386***

*Material*

Copyright is claimed in:

1. The literary and artistic works in the Guru Denim, Inc logos.

***Fitness Quest Inc Swaab Attorneys***

***Ph: ((02) 9777 8342***

***Effective Date: 19 September 2007 File Ref: C07/16048***

*Material*

Copyright is claimed in:

1. Fitness Quest Nutrition Guide
2. Leg Magic Owners Manual
3. Leg Magic Lower Body Workout DVD

*(Further information regarding the works can be obtained by contacting the Intellectual Property Rights Group on (02) 6275 6577.*)

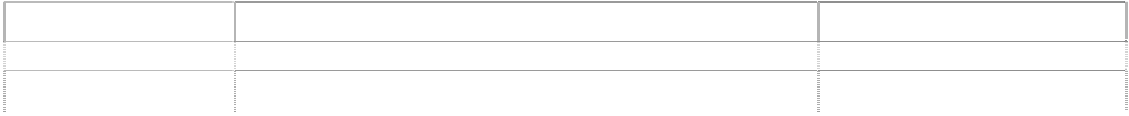
***Macmillan Publishers Australia Pty Ltd Simpsons Solicitors Ph: (02) 9247 3473***

***Effective Date: 4 October 2007 File Ref: C07/16963***

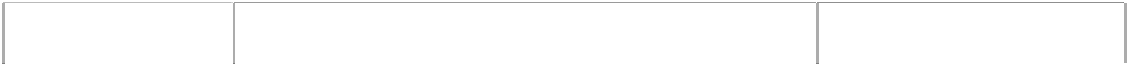
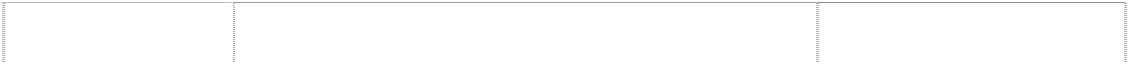
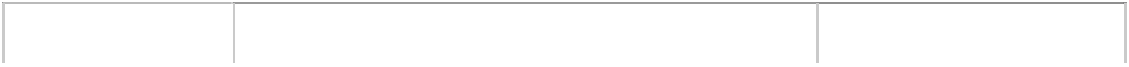
*Material*

Copyright is claimed in:

1. All literary works in which Macmillan Publishers Australia Pty Ltd owns copyright, including without limitation, the works identified below:



|  |  |  |
| --- | --- | --- |
| ***Author(s)*** | ***Title*** | ***Imprint*** |
| Sadler | Appreciating Poetry | Macmillan Education Australia |
| Wilson | Basic Technical Drawing | Macmillan Education Australia |
| Sadler | Best Ever Stories! Year 7 | Macmillan Education Australia |
| Murray | Big Dramas: 10 plays - Yrs 9 to 11 | Macmillan Education Australia |
| Banyai | DramaClass: Lesson Plans for Years 7-10 | Macmillan Education Australia |
| Sadler | Enjoy the Earth Gently | Macmillan Education Australia |
| Sadler | Enjoying English Book 1 | Macmillan Education Australia |
| Sadler | Enjoying English Book 2 | Macmillan Education Australia |
| Sadler | Enjoying English Book 4 | Macmillan Education Australia |
| Sadler | Enjoying More Poetry | Macmillan Education Australia |
| Sadler | Enjoying Poetry | Macmillan Education Australia |



|  |  |  |
| --- | --- | --- |
| Pearce | Animal Learning and Cognition | Palgrave Macmillan |
| Rayner/Wall/Kruger | As Media Studies: Essent Intro | Palgrave Macmillan |
| McDougall Derek | Asia Pacific in World Politics | Palgrave Macmillan |
| Jones, Ian Ellis | Australian Ess. Adminstv Law | Palgrave Macmillan |
| Spencer, David | Australian Ess. Dispute Resolution 2/e | Palgrave Macmillan |
| Ying, Colin | Australian Ess. Evidence 2/e | Palgrave Macmillan |
| Moore, Geoff | Australian Ess. Real Prop. | Palgrave Macmillan |
| Stewart, Pam: Stuhmcke, Anita | Australian Principles of Tort Law | Palgrave Macmillan |
| Moore, David S. | Basic Practice of Statistics & CD | Palgrave Macmillan |
| Rosenzweig | Biological Psychology & CD | Palgrave Macmillan |
| Simpson | Building a House Framing Practices | Palgrave Macmillan |
| Greig, Hulme, Turner | Challenging Global Inequality | Palgrave Macmillan |
| Atkins | Chemical Principles | Palgrave Macmillan |
| Atkins, Peter | Chemical Principles | Palgrave Macmillan |
| Kornberg Judith and Faust John | China in World Politics | Palgrave Macmillan |
| Eysenck/Keane | Cognitive Psychology | Palgrave Macmillan |
| Hartley J | Communication Cultural and Media Studies | Palgrave Macmillan |
| McCabe Catherine Et Al | Communication Skills for Nursing | Palgrave Macmillan |
| Marsen Sky | Communication Studies | Palgrave Macmillan |
| Menin | Constructing Place | Palgrave Macmillan |
| Snyder C | Contemporary Security and Strategy | Palgrave Macmillan |
| Gregg, Melissa Dr | Cultural Studies' Affective Voices | Palgrave Macmillan |
| Berger | Devel Person Lifespan | Palgrave Macmillan |
| Singh Kuldeep | Engineering Maths through Applic | Palgrave Macmillan |
| Collins P & Hollo C | English Grammar: An Introduction | Palgrave Macmillan |
| Alberts, Bruce | Essential Cell Biology | Palgrave Macmillan |
| Meyerson, Denise | Essential Jurisprudence | Palgrave Macmillan |
| Olliffe, Bronwyn | Essential Professional Conduct: Legal Ac | Palgrave Macmillan |
| Monahan, Geoff | Essential Professional Conduct: Legal Et | Palgrave Macmillan |
| P Rietbergen | Europe a Cultural History | Palgrave Macmillan |

***Pumpkin Patch Limited A J Park***

***Ph: +64 9 356 6996***

***Effective Date: 20 August 2007 File Ref: C07/03956***

*Material*

Copyright is claimed in:

1. The clothing items as depicted in the following catalogues:
   * Pumpkin Patch Ltd Range Book – Winter 2007
   * Pumpkin Patch Ltd Range Book – Summer 2006
   * Pumpkin Patch Ltd Range Book – Winter 2006
   * Pumpkin Patch Ltd Range Book – Summer 2005
   * Pumpkin Patch Ltd Range Book – Winter 2005

***Take 2 Interactive Software Pty Ltd Henry Davis York Lawyers Ph: (02) 9947 6000***

***Effective Date: 31 August 2007 File Ref: C07/12806***

*Material*

Copyright is claimed in the following list of materials:

1. The artistic works comprising any of the following:
   1. T2 Take 2 Interactive logo (current Take 2 Interactive logo);
   2. T2 Take 2 Interactive logo (old Take 2 Interactive logo);
   3. R device (R logo);
   4. R & ROCKSTAR device (Rockstar games logo);
   5. GATHERING device (current Gathering logo);
   6. Gathering of Developers device (old Gathering of Developers logo #1);
   7. Gathering of Developers and head of man device (old Gathering of Developers logo #2);
   8. JOYTECH and device (current Joytech logo);
   9. JOYTECH device (old Joytech logo #1);
   10. JOYTECH device (old Joytech logo #2);
   11. Directsoft device (old directsoft logo);
   12. Jack of All Games device (Jack of All Games logo);
   13. GS GLOBAL STAR SOFTWARE device (Global Star Software logo);
   14. GOTHAM GAMES device (old Gotham Games logo);
   15. 2K SPORTS device (2K Sports logo);
   16. 2K GAMES device (2K Games logo); “the Logos”, which are incorporated in:
2. Computer games software;
3. Compact disks or other electronic storage media storing computer games;
4. Packaging for computer games products; or
5. Manuals relating to computer games products
6. The literary, artistic, musical and dramatic works, cinematograph films and sound recording comprising computer games software:
   1. Which incorporates;
   2. Which is stored on compact disks or other electronic storage media that incorporates;
   3. The packaging of which incorporates, or
   4. The manuals of which incorporates, any of the Logos.
7. The literary and artistic works comprising the manuals (whether printed or in electronic form):
   1. Which incorporates; or
   2. Which relate to the computer games software;
      * Which incorporates;
      * Which is stored on compact disks or other electronic storage media that incorporate; or
      * The packaging of which incorporates, any of the Logos.
8. The literary and artistic work comprising the packaging:
   1. Which incorporates; or
   2. Which relates to the computer games software:
      * Which incorporates;
      * Which is stored on compact disks or other electronic storage media that incorporates; or
      * The manuals for which incorporates, any of the Logos
9. All other:
   1. literary, artistic, musical and dramatic works, cinematograph films and sound recordings comprising computer games software; or
   2. literary and artistic works comprising manuals and packaging which relates to computer games software,

in which copyright is owned by Take-Two Interactive Software, Inc. and of which Take 2 Interactive Software Pty Ltd is the exclusive licensee in Australia.

***Zippo Manufacturing Company Watermark***

***Ph: (03) 9819 1664***

***Effective Date: 20 September 2007 File Ref: C07/16049***

*Material*

Copyright is claimed in:

1. All literary and artistic works included, represented or embodied in all the images, drawings, documents and packaging (including but not limited to manuals, instructions, warranties, general information, leaflets, labels, information cards, advertising materials) published in connection with and on Zippo Manufacturing Company products (including but not limited to lighters and lighter fluid).
2. Any Zippo Manufacturing Company Logo.
3. The Venetian design as applied to Zippo Manufacturing Company products.

*(Further information regarding the works can be obtained by contacting the Intellectual Property Rights Group on (02) 6275 6577.*)