

# AUSTRALIAN CUSTOMS NOTICE NO. 2003/66

**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 their 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 two 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 publication of Australian Customs Notice 2003/33. 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.

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 Centre on 1300 363 263 or the Intellectual Property Rights Group on (02) 6275 6577.

Kaylene Zakharoff A/g National Manager Cargo Branch

for

Chief Executive Officer October 2003



# Schedule To ACN No. 2003/66 Copyright Notices of Objection

***Adobe Systems, Inc. Mallesons Stephens Jacques Ph: (02) 9296 2000***

***Effective Date: 23 August 2003 File No: C03/09982***

*Material*

Copyright is claimed in:

All artistic works in which Adobe Systems, Inc owns copyright, including without limitation the works represented in the images in the schedule provided. Further information regarding the images can be obtained from Customs.

All literary works, being computer programs and associated manuals and documentation, in which Adobe Systems, Inc owns copyright, including without limitation, the works identified below.

Adobe Acrobat Approval Adobe Acrobat Capture Adobe Acrobat CD Sampler Adobe Acrobat Distiller Server Adobe Acrobat Elements Adobe Acrobat Exchange

Adobe Acrobat for Workgroups Adobe Acrobat Messenger Adobe Acrobat Professional Adobe Acrobat Standard Adobe Acrobat Search

Adobe Acrobat V2.1 Catalogue Adobe After Effects

Adobe AlterCast Adobe Art Explorer Adobe Atmosphere Adobe Audition Adobe Capture Adobe Checklist Adobe Content Server Adobe Design Team

Adobe Digital Video Collection Standard Adobe Digital Video Collection Professional Adobe Design Collection

Adobe Dimensions Adobe Encore Adobe Fetch Adobe Font Folio

Adobe FrameMaker

Adobe FrameMaker + SGML Adobe FrameViewer

Adobe Gallery Effects Adobe GoLive

Adobe GoLive Motion Adobe Graphics Server Adobe Home Publisher Adobe Illustrator Adobe InCopy

Adobe InDesign Adobe Info Publisher

Adobe InScope Adobe LiveMotion Adobe PageMaker Adobe PageMill Adobe Paint & Publish Adobe Persuasion Adobe Photo Album Adobe Photo Deluxe Adobe Photoshop

Adobe Photoshop Elements Adobe Premiere

Adobe PressReady Adobe Print Central Adobe Printer Driver

Adobe Publishing Collection Adobe ScreenReady

Adobe SGV Viewer Adobe SiteMill Adobe Streamline Adobe Super ATM Adobe Super Paint Adobe Type Align Adobe Type Basics

Adobe Type Collection Adobe Type Library Adobe Type Manager Adobe Type On Call Adobe Type Products Adobe Type Reunion

Adobe Type Set Value Pack Adobe TypeTwister

Adobe Web Collection Adobe Wild Type Adobe IntelliDraw

***Gazal Apparel Pty Ltd Blake Dawson Waldron Ph: (02) 9258 6350***

***Effective Date: 9 May 2003 File No: C03/05481***

*Material*

Copyright is claimed in:

The literary and artistic works comprised in the following items distributed by Gazal Apparel Pty Ltd under licence from Nautica Apparel, Inc., Phillips-Van Heusen (previously under licence The British Van Heusen Company Limited), and under a sub-licence from Maui and Sons

(a Californian Corporation), which is in turn licensed by Harrow Street Limited:-

1. The logo for each of the following brands: MAUI AND SONS

NAUTICA; and VAN HEUSEN.

(the “Logo”)

1. All documents bearing the Logo including but not limited to brochures, operator's manuals, warranties, general information, leaflets, packaging, labels, stationery, notices, warranties, information cards, advertising materials, and quality policy statements.
2. All original works of authorship fixed in a tangible medium of expression and bearing the Logo including literary works, pictorial, graphic, and sculptural works.
3. All clothing manufactured by Nautica Apparel Inc., Phillips-Van Heusen (previously under licence from The British Van Heusen Company Limited), and under a sub-licence from Maui and Sons (a Californian corporation), which is in turn is licensed by Harrow Street Limited and bearing the Logo.

***MM Fab, Inc. Griffith Hack Lawyers***

***Ph: (02) 9925 5900***

***Effective Date: 18 July 2003 File No: C03/07530***

*Material*

Copyright is claimed in:

The artistic works provided, entitled: “Peaceful Kingdom”, Carribean Cruisin’”, “Kids Color Box” and “Zippity Doo Da Baby”. Further information regarding the works can be obtained from Customs.

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

***Effective Date: 31 August 2003 File No: C03/10617***

*Material*

Copyright is claimed in:

The artistic work comprising any of the T-2 logo, the Gathering of Developers logo or the Rockstar logo (Further information regarding the logos can be obtained from Customs), which is incorporated in:

* computer games software;
* compact disks or other electronic storage media storing computer games;
* packaging for computer games products; or
* manuals relating to computer games products.

The literary, artistic, musical and dramatic works, cinematograph films and sound recordings comprising computer games software:

* which incorporates;
* which is stored on compact disks or other electronic storage media that incorporate;
* the packaging of which incorporates, or
* the manuals for which incorporates,

any of the T-2 logo, the Gathering of Developers logo or the Rockstar logo.

The literary and artistic works comprising the manuals (whether in printed or electronic form):

* which incorporate; or
* 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, or

any of the T-2 logo, the Gathering of Developers logo or the Rockstar logo.

The literary and artistic work comprising the packaging:

* which incorporates; or
* 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 incorporate, or

any of the T-2 logo, the Gathering of Developers logo or the Rockstar logo.

All other:

* literary, artistic, musical and dramatic works, cinematograph films and sound recordings comprising computer games software; or
* literary and artistic works comprising manuals and packaging which relates to computer games software

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