

GEOGRAPHICAL INDICATIONS COMMITTEE

AUSTRALIAN WINE AND BRANDY CORPORATION

Industry House, National Wine Centre, Hackney Road, ADELAIDE, South Australia, 5000

Phone: (08) 8228 2000 Fax: (08) 8228 2022 E-mail: awbc@awbc.com.au

NOTICE OF APPLICATION FOR AUSTRALIAN GEOGRAPHICAL INDICATION

MOUNT GAMBIER

Opportunity to object based on pre-existing trade mark rights

The Geographical Indications Committee (GIC) is a Statutory Committee established by the *Australian Wine and Brandy Corporation Act 1980* (the AWBC Act) to make determinations of geographical indications (GIs) for wine in relation to regions and localities in Australia.

In accordance with section 40RA of the AWBC Act, the Presiding Member of the GIC wishes to advise that an application has been made for the determination of a GI to be known as **MOUNT GAMBIER** - a region within the zone of Limestone Coast in the state of South Australia.

The purpose of this Notice is to ensure that in determining the above application, due consideration is given to pre-existing trade mark rights. The owner of a registered trade mark, a trade mark that is the subject of an application for registration, or a trade mark that has been used but is not registered may object. Section 40RB of the AWBC Act sets out the grounds upon which a trade mark owner can object to the determination of a geographical indication. The grounds of objection are complex and a prospective objector should refer to the legislation, which is available online via the Australian Wine and Brandy Corporation's website, www.wineaustralia.com

Persons are invited to submit written objections to the Registrar of Trade Marks in relation to the proposed GI on a ground set out in section 40RB of the AWBC Act. Objections must be received by the Registrar of Trade Marks within one (1) month from the date of publication of this notice in the Commonwealth of Australia Gazette (30 June 2010). A filing fee of \$500 is required and the time limit cannot be extended. Objections should be addressed to:

THE REGISTRAR OF TRADE MARKS
(Attention Terry Williams)
P.O. BOX 200
WODEN ACT 2606

If any objections are submitted, the Registrar of Trade Marks will place a notice in this publication inviting any other person or body to become a party to the proceedings. The Registrar will subsequently write to all the parties, inviting them to file and serve relevant evidence within three (3) months from the date of the letter.

For further information about making an objection, contact Terry Williams, Trade Marks Hearing Officer on 02 62832785 or email tmhearings@ipaaustralia.gov.au