

# Search & Seizure

Protection IP rights owners interest



# What is IP?

- ✦ **A bundle of rights**





# IP Search & Seizure

# Border Protection of IP - Notice of Objection

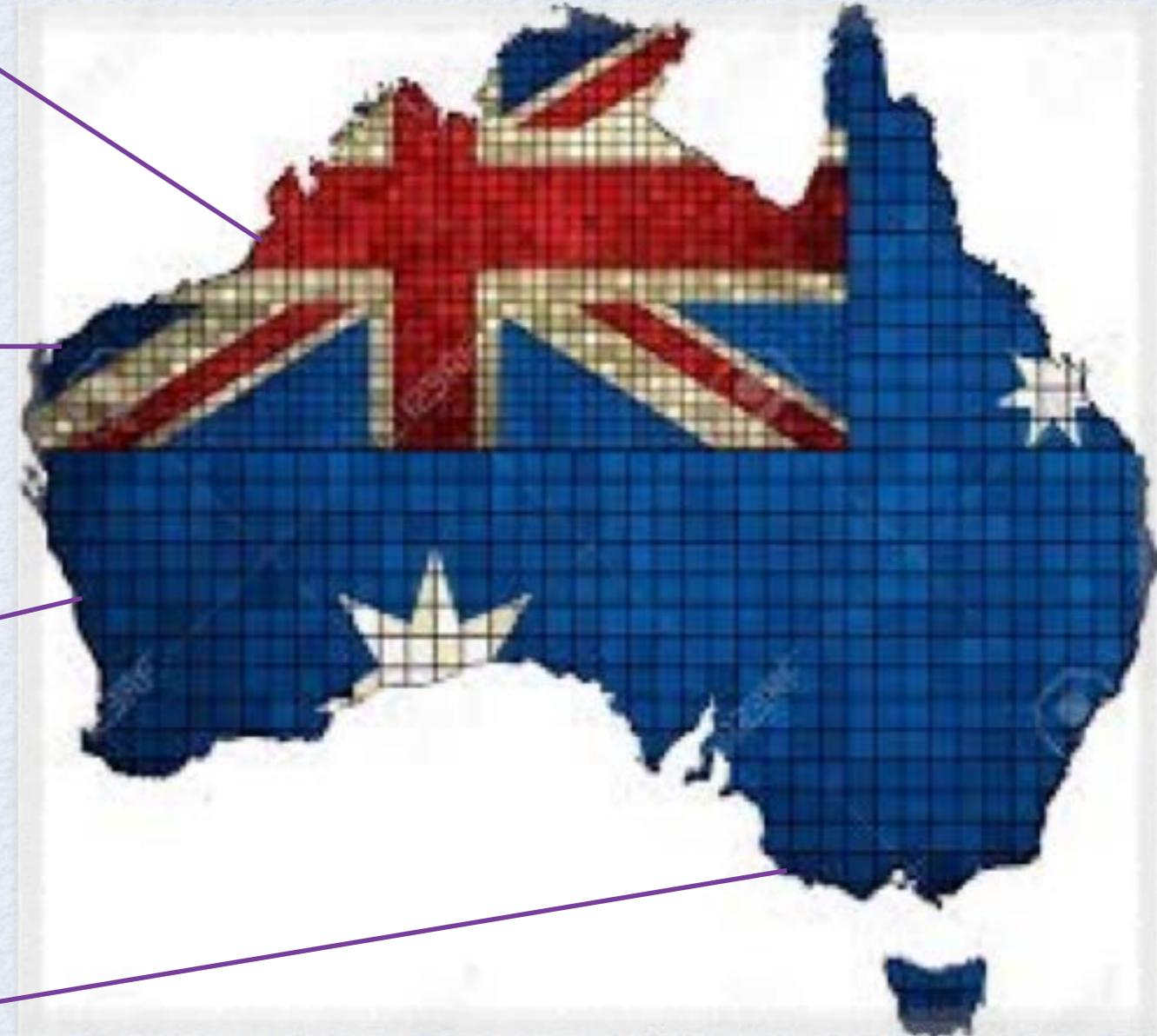


Copyright Act

Trade Marks Act

Olympic Insignia  
Protection Act

Major Sporting Events  
(Indicia and Images) Act



**Trade Marks Act**

**Copyright Act**

**Australian Consumer Law**

**Crimes Act**

**Plant Breeders Rights Act**

# Statutory Civil Actions

- ★ Copyright
- ★ Designs
- ★ Patents
- ★ Trade Marks

- ★ Circuit Layouts
- ★ Major Sporting Events
- ★ Olympic Insignia Protection
- ★ Plant Breeders Rights
- ★ Australian Consumer law

Common Law Civil  
Actions



Breach of  
Confidence



Australian  
Competition &  
Consumer  
Commission



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# Misleading & Deceptive

- ★ Intention not a factor
- ★ Strict liability for representations
  - ★ Ambiguous
  - ★ Silence
  - ★ Erroneous
- But not Puffery

# Product Get-Up!!

Not  
necessarily  
as trade  
mark issue...  
but



# Product Get-Up!!

To overcome the concern, P&G forced Nappy-Safe to change its packaging enough to remove the confusion in the minds of consumers.

