

*"Computers don't 'do' nuance":
a Western Australian perspective on trade marks v company
names v business names.*

Presented by David Stewart



IPSANZ

The Intellectual Property Society
of Australia & New Zealand Inc.

This presentation will be held both in-person (in Perth) and virtually via Zoom
Thursday, 28 September 2023

In person: **Bennett**
Level 14, Westralia Square
141 St George's Terrace
Perth WA 6000

Time: 12:00pm Local Election meeting
12:30pm A light lunch will be served
1:00pm Presentation
2:00pm Concludes

Virtual: Hosted via Zoom™ from the offices of Bennett, Perth
Times: 1:00pm Western Australia
2:30pm South Australia
3:00pm Victoria, New South Wales, Queensland, Tasmania, & Australian Capital Territory
6:00pm New Zealand NZDT

Topic: "Computers don't 'do' nuance": A Western Australian perspective on trade marks v company names v business names

Brief: This presentation will cover:

1. The legislative basis of business names, company names and trade marks
2. Trade mark decisions involving company names and business names
3. Revisiting the Australian Council on Intellectual Property's report, "A review of the relationship between trade marks and business names, company names and domain names" (2006)
4. How ASIC grants business names and AAT reviews of those decisions.

There will be time for Q&As.

Speaker: **Dave Stewart, Principal, Bennett**
Dave Stewart is a principal at Bennett Litigation and Commercial Law and an adjunct professor at the School of Law at Murdoch University in Perth. Dave specialises in trade mark law, geographical indicators, and related rights.



CPD: 1 CPD point in Substantive Law

Cost: **In-person** **A\$50.00 Members** (Includes \$4.55 10% GST)
A\$80.00 Non-members (includes \$7.27 10% GST)

Virtual **Australian registrations** **New Zealand and International registrations**
A\$25.00 Members (includes \$2.27 GST) **A\$20.00 Members** (excludes 10% GST)
A\$50.00 Non-members (includes \$4.55 GST) **A\$46.50 Non-members** (excludes 10% GST)

RSVP: Registrations must be received before **6.00pm on Monday, 25 September 2023**.
Bookings are non-refundable once the RSVP date has passed, but may be transferred to another IPSANZ event.

Bookings: [Attend in-person in PERTH](#) [Attend online via ZOOM](#)

PLEASE NOTE:

The nomination form should only have the names of Western Australian financial members as nominee and nominators. The completed forms must be received by the Secretary C/- The Secretariat by **12:00pm (AWST) Monday, 25 September 2023**. No form received after that time will be accepted.

NOTICE OF THE WESTERN AUSTRALIAN LOCAL AREA COMMITTEE ELECTION MEETING

Notice is hereby given that an Election Meeting of the Western Australian Local Area of the Intellectual Property Society of Australia and New Zealand Inc. will be held on **Thursday, 28 September 2023 at 12:00pm (AWST)** at the Offices of **Bennett**, Level 14, Westralia Square, 141 St Georges Terrace, PERTH, WA 6000. The purpose of the meeting is to elect a Western Australian Local Area Committee.

BUSINESS

1. Apologies
2. Declaration of Proxies
3. Election of Western Australian Local Area Committee Members.

All members are reminded that they must have paid their subscriptions for the current year to stand for office, vote at the meeting or exercise a proxy.



Robynne Sanders
SECRETARY

**NOMINATION OF CANDIDATES FOR
ELECTION AS COMMITTEE MEMBERS OF
THE WESTERN AUSTRALIAN LOCAL AREA COMMITTEE**

1. We, and
nominate as a member of the
Western Australian Local Area Committee for election at a meeting of the Western
Australian Local Area of the Society to be held at **12:00pm (AWST) on Thursday, 28
September 2023.**

Signed: Signed:

Date: Date:

2. I, consent to
my above nomination.

Signed:

Date:

PLEASE NOTE: This nomination form should only have the names of Western Australian members as nominee and nominators. The completed forms must be received by the Secretary C/- The Secretariat by **12:00pm (AWST) Monday, 25 September 2023.** No form received after that time will be accepted.

Notice of appointment of proxy must be given to the Secretary C/- The Secretariat G.P.O. Box 2491, Melbourne, Victoria, 3001, (or by email ipsanz@ipsanz.com.au) no later than 24 hours before the time of the meeting in respect of which the proxy is appointed: In this case, 12.00pm (AWST) Wednesday , 27 September 2023. No proxy notification received after that time will be effective. (Rule 21.1)

APPOINTMENT OF PROXY

1. I, of being a member of the society, appoint of as my proxy to vote for me on my behalf at the election meeting of the Western Australian Local Area of the Society to be held at **12:00pm (AWST) on Thursday, 28 September 2023** and at any adjournment of that meeting.

2. ****My proxy is authorised to vote in favour of*/against*** the resolution that
.....
.....
.....
.....
.....
.....

Signed:
the day of.....2023

- * Delete inappropriate reference.
- ** Paragraph (2) of this form of appointment should be deleted entirely if the appointment is a general one made for the purpose of empowering the proxy to exercise generally all voting rights of the appointor at the meeting.