

CB(1) 1495/99-00



Trade Marks Office

Sirius Building, Philip ACT 2606  
PO Box 200, Woden ACT 2606  
Australia  
Phone +61 -2 6283 2211  
Facsimile +61 -2 6283 2978  
Internet <http://www.ipaaustralia.gov.au>

24 January 2000

Mr Ray Perera  
Intellectual Property Department  
The Government of Hong Kong Special Administrative Region  
Wu Chung House  
213 Queen's Road East  
HONG KONG

[Fax No 852 2838 6276]

Your Ref: IPD/1008/15 Pt.16 (TC)

Dear Mr Perera,

Thank you for your facsimile of 17 January and your query regarding changes to Australian labelling laws.

Amendments to Australia's copyright laws regarding packaging and labelling come into force on 1 February. Although these amendments have occurred since commencement of the *Trade Marks Act 1995* they have not been brought about by the trade marks legislation.

The *Trade Practices Act 1974* was amended in 1998 to include provisions relating to country of origin representations. On a more general note, actions arising from deception and confusion caused as a result of labelling or packaging are often taken under that Act.

I have attached information explaining the copyright amendments. It is taken from the Window on the Law web site at [www.law.gov.au](http://www.law.gov.au) under the Publications heading. A guide to copyright called 'Copyright Law in Australia' can also be found at that address. Australian legislation including the *Trade Practices Act 1974* is available through SCALEPLUS on [www.law.gov.au](http://www.law.gov.au).

I hope this information helps clarify some of the issues with your new legislation.

Best wishes

Yours sincerely

Barbara Bennett  
Deputy Registrar

In Reply Please Quote Our Reference

Your Ref : IPD/1008/15 Pt. 16 (TC)  
Our Ref : TM 10/86  
Date : 18 January 2000  
Writer's Direct Line : 3302720

Mr R J Perera  
25<sup>th</sup> Floor Wu Chung House  
213 Queen's Road East  
Hong Kong

Dear Mr Perera

#### EXHAUSTION OF RIGHTS

I refer to your letter of 17 January 2000.

2 Singapore supports the principle of parallel imports. Section 29 of the Trade Marks Act 1999 was drafted with that principle in mind. We are not aware of the toughening of the labelling laws in Singapore because of section 29. The labelling laws in Singapore is under the Food Control Act and it does not have anything to do with the Trade Marks Act.

Yours sincerely

LIEW WOON YIN (MS)  
REGISTRAR OF TRADE MARKS  
SINGAPORE