



Australian
BORDER FORCE

For Official Use Only

**Guide to lodging a
Notice of Objection
under the
*Olympic Insignia
Protection Act 1987***

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1. To lodge a Notice of Objection under the *Olympic Insignia Protection Act 1987*

1.1. This guide provides information to assist Olympic Insignia owners and/or authorised importers to complete the required information for a Notice of Objection (Notice) to be lodged with the Australian Border Force (ABF).

1.2. For a Notice to be registered, the following must be provided:

- A completed Olympic Insignia Protection Act 1987 Notice of Objection form (B477),
- A letter of authorisation, if required (see section 4), and
- A completed Olympic Insignia Protection Act 1987 Security for a Notice of Objection Documentary form (B476)

PLEASE NOTE: ORIGINAL DOCUMENTS ARE NO LONGER REQUIRED.

2. Completing the *Olympic Insignia Protection Act 1987* Notice of Objection form (B477)

2.1. Details for completing the Notice form B477

2.1.1. Full name of the company lodging the Notice:

- When completing the Notice, the name of the owner should be the full name of the company or individual who is claiming the insignia related to the Olympic event.
- When completing the Notice, the name of an exclusive licensee or authorised user should reflect the same name that appears in the authorisation letter/s issued for the owner of the insignia related to the Olympic event.
- Completed documents should be emailed to IPRights@abf.gov.au.

2.1.2. Full address of the company lodging the Notice must match the address registered:

- Against the ABN details held by the Australian Taxation Office.

2.1.3. Indicate if the company lodging the Notice is the registered owner or authorised user of the insignia related to the Olympic event being covered by the Notice.

- Place an x in the box/es that accurately reflect/s the ownership status of the insignia related to the Olympic event. The Notice may cover insignia the objector owns, as well as insignia related to Olympic events that they are authorised to use. In these instances, both boxes should be selected.

2.1.4. Signature, title, and full name of an appropriately authorised person on behalf of the company lodging the Notice.

- This may be the legal representative or company representative.

2.1.5 Details of the legal representative for the company lodging the Notice:

- Name of the company and contact name of the person to be notified by the ABF for any legal issues relating to the Notice.
- The address provided must be the physical address, not a Post Office Box number.
- Provide a current/valid email address.

2.1.6. Contact details for the person and company for any seizures made on behalf of the company lodging the Notice:

- Name of the company and contact person to be notified by the ABF of any seizures made.
- The address provided must be the physical address, not only a Post Office Box number.
- Provide a current/valid email address.

2.1.7. Authorised importers:

- If there are businesses that are authorised importers of the goods incorporating the trade marks covered under the Notice the details should be provided in a separate document. Be sure to include:
 - Name of the business
 - Street address
 - Phone number
- This information will assist the ABF to target any alleged infringements on your behalf more effectively.



Australian BORDER FORCE

Olympic Insignia Protection Act 1987 NOTICE OF OBJECTION

To: Australian Border Force
PO Box 25
BELCONNEN ACT 2616

Attention: Intellectual Property Rights

Please open this form using Adobe Acrobat Reader. Either type in the fields provided or print this form and complete it using a pen and BLOCK LETTERS.

Tick where applicable

I, <input type="text" value="Full name of person or company"/>		<input type="text" value="ABN, CAC or CCID (if applicable)"/>
of <input type="text" value="Address"/>		
<i>(tick applicable)</i>		
being <input type="checkbox"/>	the owner	under the <i>Olympic Insignia Protection Act 1987</i> (the Act)
<input type="checkbox"/>	a licenced user	
Signature		Title/Position of Signatory
Printed Name		Date / / 20
Legal Representatives (provide person and company name)		Email address
Address		Phone/Fax Number
Contact for Seizures (provide person's name)		Email address (provide generic email if possible)
Address		Phone/Fax Number

The Schedule overleaf should be completed and identify each and every Olympic expression that is to be covered by this Notice of Objection.

If a licensed user is lodging this form, then the Notice must be accompanied by the documents that establish the licensed user has the power to give a Notice of Objection.

Notice: The *Privacy Act 1988* (the Privacy Act) says we must tell you why we are collecting this information, how we will use it and whether you have to give it to us. We require this information under the *Olympic Insignia Protection Act 1987* (the Act) to allow us to seize goods which are imported and may contravene s36 of that Act if not seized. The Australian Border Force is not permitted to disclose this information or any supplementary information you give, except when required or authorised by law.

SCHEDULE

Empty rectangular box for schedule content.

3. Olympic Insignia Protection Schedule

3.1. The Schedule should be listed on page 2 of the Notice form (B477).

3.1.1. Information regarding the insignia to be covered by the Notice should be listed, including a detailed description of the material.

4. Authorisation Letter/s

4.1. For any insignia related to Olympic events that are not owned by the company lodging the Notice, a letter of authorisation to file the Notice on the owner's behalf must be provided to the ABF. In some cases, this may require several letters from various image owners.

5. Completing the Security under Section 52

5.1. The company must provide a Security for a Notice of Objection Documentary form (B476) under Section 52. The Security must be executed by the company lodging the Notice.

5.1.1. The Security is a formal undertaking from the company, acknowledging that they will pay any costs incurred by the ABF while enforcing the Notice.

5.1.2. Details for completing the Security Form (B476) include:

- The date the Security is signed (executed),
- Full name of the company providing the Security,
- Full address of the company providing the Security, and
- Signature, title and full name of an appropriately authorised person on behalf of the company lodging the Security.

NOTE: If the signatory is not a company director or a company secretary, a letter of authorisation must be provided, signed by an appropriately authorised person, stipulating who is nominated as Power of Attorney to sign on their behalf.

5.1.3. All signatures must be witnessed.



**Australian
BORDER FORCE**

Olympic Insignia Protection Act 1987
**Security for a Notice of
Objection Documentary**

Please open this form using Adobe Acrobat Reader. Either type in the fields provided or print this form and complete it using a pen and BLOCK LETTERS.
Tick where applicable

BY THIS SECURITY

I, (Full name of person or company in this bond called 'the objector') ABN, CAC or CCID *(if applicable)*

of Address

and

(in this security called 'the surety') are jointly and severally bound to the Commonwealth for the payment to the Commonwealth of the sum of \$5,000.

WHEREAS: *(tick applicable)*

- (a) the objector is the owner
 a licensed user

as defined under the *Olympic Insignia Protection Act 1987* ('the Act') of the protected Olympic expressions described in the schedule of this security;

- (b) the objector has notified the Comptroller-General of Customs in writing, pursuant to section 52 of the Act, that they object to the importation of goods manufactured outside Australia and having applied to those goods an Olympic expression listed in the schedule overleaf;
- (c) the objector has requested the Comptroller-General of Customs to seize any such goods, under subsection 54(2) of the Act, if imported;
- (d) before taking action under subsection 54(2) or permitting an officer to take action under that subsection the Comptroller-General of Customs, in pursuance of subsection 54(3), has required the objector to give this security.

The objector shall, upon a demand made by the Comptroller-General of Customs, forthwith reimburse the Commonwealth for all expenses incurred by it by virtue of any action taken by the Comptroller-General of Customs in relation to the goods under the Act. This bond shall remain in full force until it is discharged in reimbursing the Commonwealth in the above matter.

Signature	Date / / 20	Signature (Surety)	Date / / 20
Printed Name		Print Name	
Title/Position of Signatory		Title/Position of Signatory	

The schedule overleaf should be completed and identify each and every Olympic expression that is to be covered by this security.

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6. Infringing Information

- 6.1. If any information comes to hand which may assist the ABF to enforce the Notice (e.g. companies or individuals importing alleged infringing goods into Australia, including any particulars of shipments due to arrive), please complete the form B253 'Intellectual Property Commerce and Labelling Referral Details' available on the ABF website and email it to IPRights@abf.gov.au
- 6.2 To access the B253, use this link [Form B253](#)

7. Additional Assistance

- 7.1. If you require assistance or information regarding the lodgement of Notices or Security, please contact IPRights@abf.gov.au