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Trade Marks Act 1955

## APPLICATION FOR THE REGISTRATION OF A TRADE MARK

I, <sup>1</sup> THE MOTORCYCLE RIDERS ASSOCIATION OF AUSTRALIA INCORPORATED (NIL)  
of <sup>2</sup> 184 BRUNSWICK STREET FITZROY VICTORIA 3065

....., the proprietor of the trade mark,  
a representation of which is <sup>3</sup> affixed to the Schedule to this application  
~~annexed to this application~~ hereby apply for registration of the trade mark

in Part <sup>4</sup> ..... of the Register of Trade Marks in respect of <sup>5</sup> PROMOTIONS OF THE  
ASSOCIATION IN RESPECT TO ROAD SAFETY, ROAD AWARENESS, MOTORCYCLIST  
IMAGE AND FAIR & SENSIBLE LAWS AND SERVICES TO MOTORCYCLIST AS  
PER THE CONSTITUTION

being <sup>6</sup> goods  
<sup>7</sup> services included in Class No. 42

2. My address for service is <sup>8</sup> P.O. Box 64 COLLINGSF. 3060

3. I furnish herewith the additional representations required to be furnished by sub-regulation (5) of regulation 7 of the Trade Mark Regulations. <sup>9</sup>

## THE SCHEDULE



TRADE MARKS OFFICE

28 MAR 1984

A

Dated this TWENTY EIGHTH day of MARCH 1984

J. W. B.  
Signature<sup>10</sup>

To the Registrar of Trade Marks

- (1) Insert name. If name handwritten, use block letters. If a company, state where incorporated. If a firm, state where registered.
- (2) Insert address.
- (3) Cross out if inapplicable. A representation should be affixed if it will fit in the space provided, otherwise it should be mounted on linen or other suitable material and annexed to this form with the name of applicant written thereon.
- (4) Insert Part of Register in which registration sought. (See circular of Instructions.)
- (5) Insert the goods or a description of the service or services in relation to which registration of the Trade Mark is sought.
- (6) Cross out if inapplicable.
- (7) Insert the Class in which the goods or the service or services are included.
- (8) Insert an address for service of documents in Australia.
- (9) Seven copies of Form 2 with representations of Trade Mark affixed or annexed and five unattached representations must accompany the application.
- (10) To be signed by applicant or, on his behalf, by a patent attorney, legal practitioner or person entitled to practice as a trade marks agent.

**PATENT, TRADE MARKS AND DESIGNS OFFICES,  
CANBERRA**

Scarborough House,  
Phillip, A.C.T.  
P.O. Box 200  
Woden, A.C.T. 2606

Tel: (062) 832211  
Telex: COMPAT AA 61517  
Telegrams: COMPAT

Address all correspondence  
to the Registrar of Trade  
Marks

The Motorcycle Riders Association  
of Australia Incorporated (Vic)  
P.O. Box 64  
Collins Street  
VIC 3000

14 FEB 1986



Trade Mark Application No. 405929      Your Ref: -  
Applicant: THE MOTORCYCLE RIDERS ASSOCIATION OF AUSTRALIA INCORPORATED (VIC)

Examiner:            A. COLEMAN  
Senior Examiner: J.P. JAMES

Report No. 1

*Alan Brook***EXAMINER'S REPORT**

- 1      Objection exists to registration of the applicant's mark under paragraph (e) of section 24(1) of the Trade Marks Act on the grounds that it is not distinctive.

The objection arises because the mark contains or consists of the letter(s) MRA which is/are not adapted to distinguish the applicant's services from those of other traders equally entitled to use the letter(s) in respect of their similar services.

The other non-distinctive matter comprising the device of a map of Australia and the word AUSTRALIA appearing in the mark is not sufficient to render the mark distinctive when viewed as a whole.

- 2      The mark so closely resembles the following trade mark application(s) as to be likely to deceive or cause confusion:

<u>Application No.</u>	<u>Class</u>	<u>Proprietor</u>	<u>Date Lodged</u>
396322	41	MOTORCYCLE RIDERS ASSOCIATION	1.9.83
396323	35	MOTORCYCLE RIDERS ASSOCIATION	1.9.83
396324	36	MOTORCYCLE RIDERS ASSOCIATION	1.9.83

Thus objections to registration of the applicant's mark exist in terms of section(s) 28 and 33 of the Trade Marks Act.

3 The applicant should note that the application cannot be accepted or registered unless the above objections are overcome. However, if those objections can be resolved, the following requirements also need to be met before the application can be accepted:

3.1 A statement should be furnished by the applicant indicating whether the mark is used or presently intended to be used by the applicant in respect of the service or services specified and indicating the geographical area in which the applicant uses or proposes to use the trade mark in relation to the service or services.

The applicant is therefore requested to provide a written statement which indicates

- (i) whether or not the applicant uses or presently intends to use the mark, and ✓
- (ii) that the use is in relation to all the services specified, and ✓
- (iii) the geographical area in which the mark is currently used or intended to be used. ✓

3.2 The provisions of Section 36 of the Act are applicable to the above numbered trade mark when registered for the purpose of association of the mark with the under mentioned trade mark(s). The applicant's consent to the proposed association of marks is required: 399445(42) and 405929(42).

3.3 In order to ensure correct classification, further information should be furnished for the following/all item(s) listed in the statement of services:

Trade pamphlets or illustrated brochures would assist in this respect.

3.4 The applicant is requested to advise whether the words "INCORPORATED (VIC)" form part of the applicant's name or refer to the State of incorporation.

4 Should the applicant wish to seek professional advice regarding the prosecution of this application, a registered Patent and Trade Mark Attorney (refer list attached) or solicitor experienced in trade mark matters may be consulted.

Examiner: 

A response to these objections may be lodged in writing for further consideration.

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- 3 -

If the application has not been accepted within twelve months from the date on this report, a notice of non-acceptance pursuant to the Section 48 of the Trade Marks Act 1955 will be issued. If at the expiration of three months from the date of that notice the application has not been accepted, the application shall lapse.