

ASSOCIATION INTERNATIONALE
POUR LA PROTECTION
DE LA PROPRIETE INDUSTRIELLE

THE INTERNATIONAL ASSOCIATION
FOR THE PROTECTION
OF INDUSTRIAL PROPERTY



AIPPI AUSTRALIA INC
2018 ANNUAL GENERAL MEETING
22 November 2018
Corrs Chambers Westgarth, Level 25, 567 Collins Street, Melbourne
Allens, Level 28, Deutsche Bank Place, 126 Phillip Street, Sydney

MINUTES

OPENING

The Vice President, Matthew Swinn, declared the meeting open at 5pm and welcomed Members.

1. Attendance

Linda Govenlock, Nina Fitzgerald, Niloufer Selvarai, Matthew Swinn, Tom Reid, Clare Cunliffe, Richard Brown, Andrew Massie, Grant Fisher, Kate Hay, Warwick Rothnie, Bridie Egan, Sarah Matheson, Michael Dowling

2. Apologies and Proxies

C Merlino provided a proxy to M Swinn.

ORDINARY BUSINESS

3. Confirmation of Minutes of 2017 Annual General Meeting

The Minutes of the 2017 Annual General Meeting were circulated electronically prior to the meeting. Grant Fisher moved that the Minutes be recorded as a true and correct record of the 2017 Annual General Meeting. The motion was seconded by Clare Cunliffe and passed unanimously.

4. Election of Office Bearers and Committee Members

As the number of nominees equalled the number of offices and ordinary Committee positions available, the following Office Bearers and ordinary Committee Members were elected, with Damon Henshaw taking the position of Past President.

Non-Elected Office Bearers

Past President: Damon Henshaw



Elected Office Bearers

President: Matthew Swinn

Vice President: Sarah Matheson

Honorary Secretary: Tom Reid

Honorary Treasurer: Clare Cunliffe

Ordinary Committee Members

Richard Brown

Kate Hay

Grant Fisher

Andrew Massie

Peter Franke

Nina Fitzgerald

Connie Merlino, Manuel Schmidt, and Peter Treloar were invited to join the Committee as observers.

Thanks were given to Damon Henshaw who served as President, and to Carolyn Harris and Connie Merlino who each served as Honorary Secretary, during the preceding year, and who each retired from the Committee.

5. President's Report

Matthew Swinn referred to a President's Report that was prepared by Damon Henshaw and circulated electronically prior to the meeting, which was taken as read. A copy is attached.

6. Treasurer's Report

Clare Cunliffe spoke to the Treasurer's Report, which was circulated electronically prior to the meeting, and a copy of which is attached.

During the year, the Association has migrated its membership systems, as a result of which it now has the ability to accept Paypal payments. The Association has a healthy membership consisting of 75 full financial members, 1 junior member, and 4 life members.

The Association has also raised its membership fee with the aim of better enabling the Association to carry out its objectives. In the coming year, the Association will look to increase membership, including through its seminar series.



In the previous year, the Association reported a loss of approximately \$13,000, due to a failure to pay subscriptions to the AIPPI international organisation in previous years. Those subscriptions have now been paid.

Clare referred to a draft financial report prepared by the Association's accountants and circulated electronically prior to the meeting. Matthew Swinn moved that the draft financial report be approved. Andrew Massie seconded the motion, which was passed unanimously.

7. Secretary's Report

Matthew Swinn referred to a Secretary's Report that was prepared by Connie Merlino and circulated electronically prior to the meeting, which was taken as read. A copy is attached.

8. Study Questions

Matthew Swinn referred to written summaries, prepared by Clare Cunliffe, for the two 2018 Cancún Congress Study Questions for which she was the Association's delegate (being those relating to joint liability and to the Hague Convention).

Andrew Massie spoke to the Study Question relating to partial designs. The AIPPI international organisation resolved at Cancún that partial designs should be allowed.

Richard Brown spoke to the Study Question relating to conflicting patent application, ie the use of an unpublished application with an earlier filing date against a later-filed application. The resolution was that such an earlier application can be used as prior art in relation to novelty but not inventive step. The resolution also dealt with the issue of "toxic priority".

Matthew Swinn referred to a copy of the Cancún resolution on the registrability of 3D trade marks, which was circulated electronically prior to the meeting.

9. Next Committee Meeting

The next Committee meeting is to be held on a date to be determined.

10. Other Business

Matthew Swinn warmly thanked Sarah Matheson, who finished her term as Reporter General of the AIPPI international organisation at the Cancún Congress. During her term, there have been significant improvements in the organisation and the way in which it conducts its work, including, in particular, the new emphasis on the role of the Standing Committees, which will be a legacy of Sarah's tenure. Matthew moved a motion of thanks, which was unanimously approved.