



**International Trademark Association**  
*Representing Trademark Owners Since 1878*

**Alan C. Drewsen**  
*Executive Director*

December 19, 2008

Mr. Peter Hallahan  
Committee Secretary  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia

Dear Mr. Hallahan:

As a global organization, INTA is grateful for the opportunity to put forward several comments in respect of the issues raised by the latest draft of the Personal Property Securities Bill which relate to the registration of trademarks and security interests recorded against trademark registrations.

The International Trademark Association (INTA) is a not-for-profit association of trademark owners and professionals from more than 190 countries throughout the world, headquartered in New York with offices in Brussels and Shanghai. Representing the trademark community since 1878, INTA is dedicated to the support and advancement of trademarks and related intellectual property rights as elements of fair and effective national and international commerce. INTA's membership includes over 5,500 trademark owners and professionals throughout the world.

In August 2008, INTA submitted comments on the earlier consultative draft made available by the Australian Attorney General's Office. In those previous comments, INTA expressed concern regarding section 116 of the consultative draft. Subject to section 38, section 124 suffers from the same problem as section 116 in the earlier draft, in that the owner of a trademark who has licensed use of the trademark may not be able to exercise effective control over use of the trademark if the rights of a grantor in collateral are transferred. Please see page 2 of our attached previous comments for further details on INTA's concerns.

INTA would be happy to answer any resulting questions you may have on these issues. Should you require further information, please contact INTA staff liaison Mr. Mark Neighbors at [mneighbors@inta.org](mailto:mneighbors@inta.org).

Sincerely,

Enc.: August 2008 Comments on the PPS Draft Bill