

## **ABA PROPOSED RESOLUTIONS**

### **RESOLVED THAT:**

1. Trade Mark Registrations 1587902 AUSTRALIAN BAR ASSOCIATION and 1558252 ABA AUSTRALIAN BAR ASSOCIATION logo be assigned to and held by Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
2. The benefit of Trade Mark Application 1560119 AUSTBAR be assigned to and held by Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
3. The current and past members of the Council being the joint owners of Trade Mark Registrations 1587902 and 1558252 be directed to do all acts necessary to effect an assignment of their rights in Trade Mark Registrations 1587902 and 1558252 to Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
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  - (a) commence and conduct proceedings on behalf of and as the representative of the members of the Australian Bar Association against Australasian Barrister

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- (b) apply, if necessary, to the Federal Court of Australia, for an order pursuant to Part 9 r 9.25 or otherwise to the effect that the Proceedings be conducted by him on behalf of the members of the Australian Bar Association.
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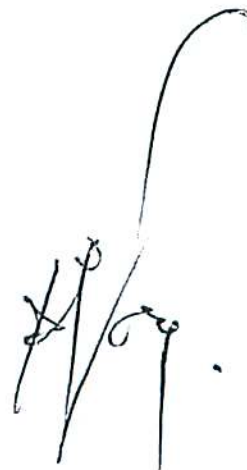
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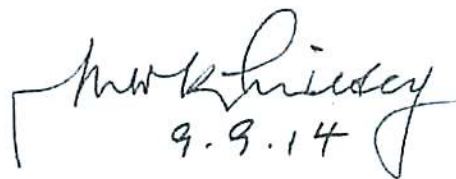
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3. The current and past members of the Council being the joint owners of Trade Mark Registrations 1587902 and 1558252 be directed to do all acts necessary to effect an assignment of their rights in Trade Mark Registrations 1587902 and 1558252 to Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
4. The current and past members of the Council being the applicants of Trade Mark Application 1560119 AUSTBAR be directed to do all acts necessary to effect an assignment of the benefit of the application to Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
5. The ownership of the domain name "Austbar.asn.au" be transferred to Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
6. The NSW Bar Association and the SA Bar Association be requested that they transfer the ownership of any and all domain names held by them consisting of or including the mark "Austbar" to Philip Selth in his capacity as delegate of the Australian Bar Association and as trustee for the members from time to time of the Australian Bar Association.
7. Philip Selth in his capacity as delegate of the Australian Bar Association, is hereby authorized to:
  - (a) commence and conduct proceedings on behalf of and as the representative of the members of the Australian Bar Association against Australasian Barrister

Chambers Pty Limited (ABN 80133736848), Derek Michael Minus and any other entity associated with Mr Minus to restrain the infringement of Trade Mark Registrations 1587902 and 1558252 and the unauthorized use by them of the names and marks "Australian Bar Association" and "Austbar" (**Proceedings**); and

- (b) apply, if necessary, to the Federal Court of Australia, for an order pursuant to Part 9 r 9.25 or otherwise to the effect that the Proceedings be conducted by him on behalf of the members of the Australian Bar Association.
8. Philip Selth in his capacity as delegate is hereby authorised to make on behalf of the members of the Australian Bar Association any and all affidavits/statements necessary for the purposes of the Proceedings.



15/9/14