



THE UNIVERSITY OF  
MELBOURNE



IPRIA PUBLIC SEMINAR  
IN ASSOCIATION WITH THE INSTITUTE  
OF PATENT AND TRADE MARK  
ATTORNEYS OF AUSTRALIA AND GENEROUSLY  
HOSTED BY DAVIES COLLISON CAVE



# AMBUSH MARKETING

DAVIES COLLISON CAVE  
PATENT AND TRADE MARK ATTORNEYS

## SPEAKERS:

Ms Emily Hudson  
PhD Candidate  
Melbourne Law School  
The University of Melbourne

Dr Owen Morgan  
Senior Lecturer in Commercial Law  
The University of Auckland  
Business School

## DATE AND TIME

Wednesday 24 June 2009  
1:00pm - 2:00pm  
(Refreshments from 12:30pm)

## VENUE:

Davies Collison Cave  
Level 15  
1 Nicholson Street  
Melbourne

## RSVP:

Jean Molloy  
IPRIA  
Alan Gilbert Building  
University of Melbourne  
Fax no: (03) 8344 2111  
Email: info@ipria.org

## PRICE:

Free of charge

## CLOSING DATE:

Wednesday 17 June 2009

### Professional Standards Board

The Professional Standards Board for Patent and Trade Marks Attorneys has advised that attendance at this seminar will enable Patent and Trade Marks Attorneys to claim 1 CPE point.

### Law Institute of Victoria

If these educational activities are relevant to your immediate or long term needs in relation to your professional development and practice of the law, then you should claim one unit for each hour of attendance, refreshment breaks not included.

This seminar will analyse the major features of the Major Events Management Act 2007 ('MEMA') which was recently enacted in New Zealand. The legislation has become notorious for its extensive prohibitions of activities now known as 'ambush marketing by association' and 'ambush marketing by intrusion'. The objective of the MEMA is to provide wide-ranging protections for major events and, therefore, its focus is wider than ambush marketing. The underlying themes are that the legislation is unnecessary given the protection provided by the existing law; it is poorly drafted, particularly in the way it concentrates on minutiae; and it is heavy handed and unbalanced in its approach, with the dominant interests being those of event organisers and their associates as opposed to the interests of the general public. Despite its faults, the legislation has significance as a template for future legislation in countries such as Australia which regularly and successfully compete for major events.

Emily Hudson is a PhD candidate in the Melbourne Law School. Her thesis examines the management and impact of copyright in US and Canadian public museums, galleries, libraries and archives, in particular as it relates to use of digital technologies. Prior to embarking on her PhD, Emily was a Research Fellow at the CMCL and the Intellectual Property Research Institute of Australia (IPRIA). Emily was one of the co-authors of the report *Ambush Marketing Legislation Review*, commissioned by IP Australia and the Department of Communications, Information Technology and the Arts (DCITA)



Dr Owen Morgan is a Senior Lecturer in Commercial Law, University of Auckland Business School. He received his Doctorate in Juridical Science from the University of Melbourne. He has extensive research interests in intellectual property including bio prospecting, copyright and trademarks and the general impact of intellectual property on innovation. He has a developing interest in indigenous rights. Prior to taking up his present position Owen was Deputy Director of the Intellectual Property Research Institute of Australia (IPRIA) and he is now a Research Associate of IPRIA and of the Mira Szasz Research Centre for Maori and Pacific Economic Development.

