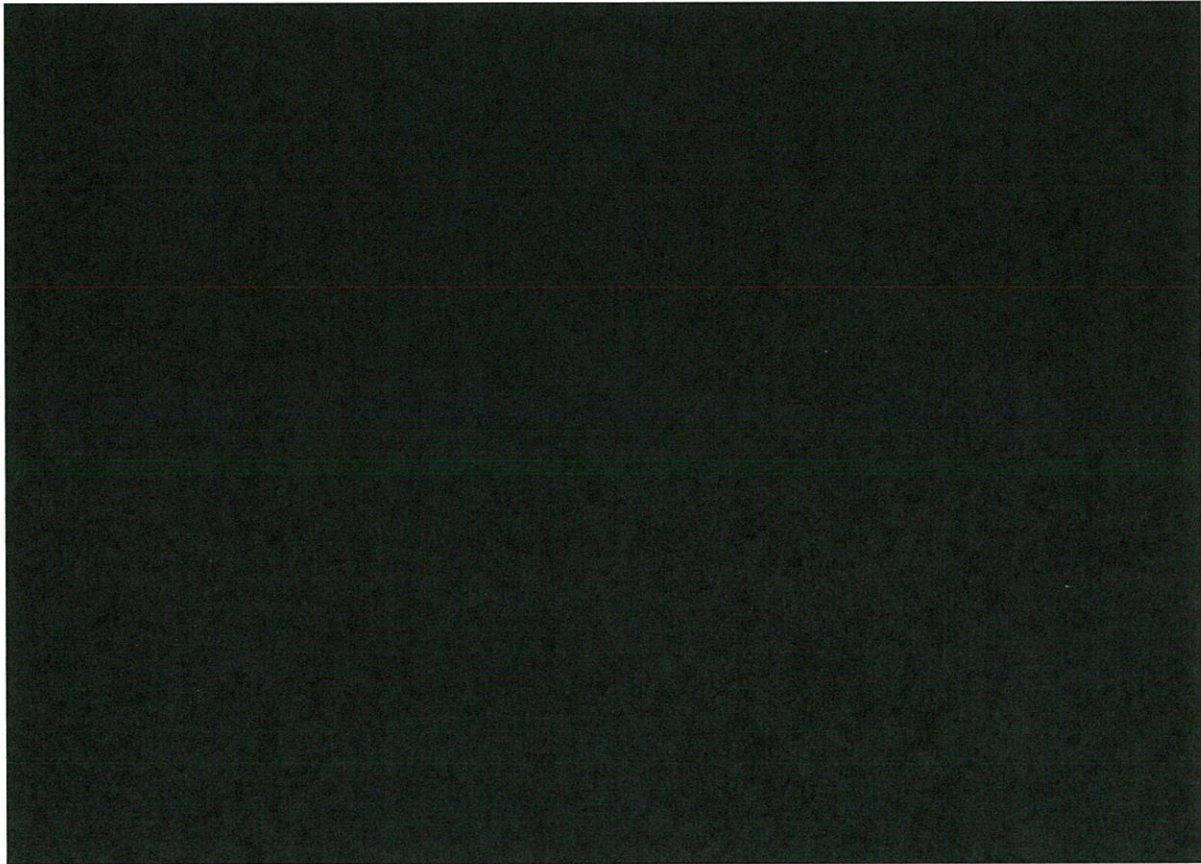


From: [REDACTED] s9(2)(a)
To: [REDACTED] s9(2)(a)
Cc: [REDACTED] s9(2)(a)
Subject: RE: Customs border protection notices for Marmite & Weet-Bix

s9(2)(a) Hi [REDACTED] – thank you for sparing your time this morning to discuss Sanitarium’s submissions in some detail with me.



s9(2)(h)

Happy to elaborate if required.

Kind regards
[REDACTED] s9(2)(a)

From: [REDACTED] s9(2)(a)
Sent: Thursday, 5 July 2012 15:00
To: [REDACTED] s9(2)(a)
Cc: [REDACTED] s9(2)(a)
Subject: RE: Customs border protection notices for Marmite & Weet-bix

Thanks [REDACTED] s9(2)(a)

I'll have to give Comms a "heads up" on this one because of the likely media interest when Customs begin detaining Weetabix imports.

[REDACTED] s9(2)(a)

From: [REDACTED] s9(2)(a)
Sent: Thursday, 5 July 2012 14:41
To: [REDACTED] s9(2)(a)
Cc: [REDACTED] s9(2)(a)
Subject: RE: Customs border protection notices for Marmite & Weet-bix

[REDACTED] s9(2)(a)

In the past we have detained "Rexoma" deodorant, because it was considered that it was close enough to the "Rexona" trade mark to deceive / confuse; similarly with "NIKF" branded t-shirts, because it was considered that they were close enough to "NIKE".

Given that a Border Protection Notice has been accepted for the word "WEET-BIX" (non-stylised – therefore any font style and packaging design is covered), I would suggest that "WEETABIX" would be similar enough to deceive and confuse, given that there is only one letter difference, and it is on the same type of product.

[REDACTED] s9(2)(a)
Intellectual Property Rights (IPR) Investigations
New Zealand Customs Service
Location: Air Cargo Inspection Facility, 21 Tom Pearce Drive, Auckland Airport, Auckland
Address: PO Box 73003, Auckland Airport, Auckland 2150
Phone: [REDACTED]
Mobile: [REDACTED] s9(2)(a)
Email: [REDACTED]@customs.govt.nz s9(2)(a)

From: [REDACTED] s9(2)(a)
Sent: Thursday, 5 July 2012 14:32
To: [REDACTED] s9(2)(a)
Cc: [REDACTED] s9(2)(a)
Subject: FW: Customs border protection notices for Marmite & Weet-bix

Hi [REDACTED] s9(2)(a)

This email from Sanitarium has just been received. Can we review and discuss this one at a mutually agreeable time next week thanks? There is quite a bit of material submitted in the attachment.

I'll acknowledge receipt of Brandon Chik's email shortly.

With thanks

[REDACTED] s9(2)(a)

From: Brandon Chik [mailto:Brandon.Chik@sanitarium.co.nz]
Sent: Thursday, 5 July 2012 14:13
To: [REDACTED] s9(2)(a)
Subject: RE: Customs border protection notices for Marmite & Weet-bix

Hi [REDACTED], s9(2)(a)

Further to our previous discussions, please find **attached** a letter and supporting evidence regarding the trade mark infringement of our WEET-BIX mark, caused by the imported UK Weetabix mark.

Hard copies will be sent today in the post. I will be in touch early next week to touch base with you again.

Kind regards,
Brandon Chik