

How to Become Licensed to use the Australian Fibre Collective Registered Trade Mark.



For further information & assistance contact

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1. Is my business eligible to become Licensed to use the AFC registered Trade Mark?

All 100% Australian grown and manufactured and / or crafted natural fibre products are eligible to be licensed to have the Australian Fibre Collective registered Trade Mark affixed.

If the conditions above are met, any Australian business, at any point in the supply chain, from the raw natural fibre through to a finished fibre product is eligible to apply to use the Australian Fibre Collective registered Trade Mark.

All imported fibre products irrespective of their origins are ineligible for licensing to use the AFC registered Trade Mark.

Any blending of fibre products which are man made or processed off shore renders a fibre product ineligible for licensing to use the AFC registered Trade Mark.

2. How does the Licensing process work?

After you have submitted the required paperwork (your signed copy of the Trade Mark Licence Application Form plus the list of products to which the Trade Mark is to be affixed with Australian supply chain evidence) and paid your application fee, the AFC Board will consider your application.

3. What are the steps to becoming Licensed?

The Applicant

- Become a Member of The Australian Fibre Collective Inc. if you are not already one (Friend of The Australian Fibre Collective Inc.). Proof of membership will be required when submitting your Trade Mark Licence Application.
- Read and understand your obligations under the Australian Fibre Collective Inc. Code of Conduct.
- Complete and sign the Australian Fibre Collective Registered Trade Mark Licensing Application Form.
- Provide a list of all products to which you wish to affix the registered Australian Fibre Collective Trade Mark (only include products on this list that you can prove are 100% Australian grown and manufactured Fibre Products). Proof of the Australian supply chain will be required to accompany this list.
- Lodge your application with the Secretary of the Australian Fibre Collective Inc. together with the application fee.

The Australian Fibre Collective Inc.

- Your Application will be forwarded to the Licensing Subcommittee for consideration. Here your product and supply chain documents will be checked and verified. If necessary a compliance audit will be arranged.
- If everything is in order your application will go to the Board for approval.
- If the Licence application is approved by the Board the Secretary will send the applicant a completed Trade Mark

Acceptance form detailing those products to which the Licensee may affix the registered Trade Mark.

- Approval will be granted on payment of the Trade Mark licensing fee plus costs associated with a compliance audit if required.
- Approval of a licence application will be evidenced by the issuing a certificate that is valid for the period specified on the certificate.
- The Licensing fee is an annual fee and must be kept current for continued use of the registered Trade Mark.

4. How much does Licensing cost?

- A Licensing application fee is of \$75.00 is payable at the time of lodging your application to become a licensee of products accredited to use the registered Trade Mark.
- If straightforward and the product list and supply chain require only verification then the licensing fee of \$75 per annum or part thereof will be payable. The annual licensing fee is payable as of the 1st of July each year.

5. How long does Licensing take?

If straightforward and the product list and supply chain require only verification then approval should be through within 30 days. If a compliance audit is required then approval could take up to 6 months.

6. What are my responsibilities as a Australian Fibre

Collective Trade Mark Licensee?

The Licensee is bound by the rules and conditions as set down the Code of Practice.

The Licensee must ensure that their Products at all times comply with the rules and conditions for the use of the Trade Mark as detailed in the Code of Practice and, in particular, that each of the Products meets the relevant criteria set out in the Code of Practice for use of the Trademark with the origin claim to be made in respect of the Product.

The Licensee must maintain documentary records sufficient to demonstrate the compliance of the Product /s with the relevant criteria set out in the Code of Practice.

The Licensee will cooperate fully with the Australian Fibre Collective Inc or its representatives if required to submit to a compliance audit or investigation in respect to its use of the Trademark;

A licensee shall not share the Trade Mark or authorise its use by any other party who is not licensed to use the Australian Fibre Collective Trade Mark.

7. What are my ongoing responsibilities as a Licensed business?

A licensee must notify The Australian Fibre Collective Inc. within 30 days of any change to the details relating to the licence contained on the Licensee Register.

A licensee must apply to the Australian Fibre Collective Inc. within 30 days to remove a good from the product list if they no longer meet the requirements (100% Australian Grown and Manufactured fibre product).

The licensee must apply to the Australian Fibre Collective Inc. to include a new product on their product list.

8. When can I use the AFC registered trade mark?

A licensee may only use the Trade Mark in association with products identified on the licensee's product list, as amended from time to time.

These fibre products must be 100% Australian Grown and Manufactured. They must not contain any fibre produced overseas natural or otherwise (synthetics) they also must not have left Australia prior to having the Trade Mark affixed. Product exported with the Trade Mark cannot be re-imported and continue to use the Trade Mark. Nor can any percentage of synthetic fibres can be incorporated into the product and the product continue to use the Trade Mark.

9. Is my Licence ongoing?

No, the Licence is not ongoing. A licensing fee is payable annually; all licensing fees fall due on the 1st of July of each year. Your product list needs to be re-submitted at this time of to be checked. AFC Inc. will contact you 30 days prior to the end of the financial year to begin the licensing process,

The licence must be kept in force and the appropriate annual licence fee paid while the licensee is selling products carrying the Trade Mark. Not to do so would breach the Trademark Licence.

10. Under what circumstances can my business be de-licensed?

The Australian Fibre Collective Inc. will have the right to terminate a

licence by notice in writing to a licensee upon the happening of any of the following events:

- If the licensee fails to renew their licence within the time specified in the licensing agreement
- If the licensee ceases to carry on the business of selling the products identified on its product list;
- If the licensee is found to have committed a breach of the rules and conditions set out in this Code of Practice;
- If the licensee through any act or omission generates a circumstance that is reasonably likely to damage the reputation of the Australian Fibre Collective Inc, or the Trade Mark;
- If the licensee challenges the Australian Fibre Collective Inc's rights as the distributor of the Registered Trade Mark.

Businesses can also choose to be de-accredited by writing to the Australian Fibre Collective with a formal request.

Businesses will be requested to remove within seven days all references to their accreditation, The Australian Fibre Collective's name and Trade Mark, in line with the Licence.

11. What happens during a compliance audit?

The Australian Fibre Collective Inc. representative conducting your compliance audit will supply you with a compliance audit summary which will be tailored to your manufacturing or crafting circumstances.

You will be required to supply documentary evidence; receipts,

purchase orders, invoices and any other documentary proof available to you as evidence of the whole supply chain for each product being audited. We are only interested in validating your supply chain. We do not require, nor do we want any of your commercial information. Therefore please redact all prices and monetary values on documents before submitting them to our representative/s.

12. Conflict of Interest / Commercial Competitor

Should a circumstance arrive where a member of the AFC Trade Mark Licensing Sub- Committee have a conflict of interest or is a business competitor of the applicant, that Sub- Committee member will excuse them self from the entire licensing approval process. They will not be privy to the application, nor any of the information contained within the application.

Once the Sub-Committee is satisfied that an application qualifies to use the AFC Trade Mark, the application will be forwarded to the Board for approval. Should an AFC Inc Board member have a conflict of interest or be a commercial competitor of the applicant they must declare this and withdraw from all decision making regarding the application.

13. Historical false and misleading labelling claims

Any business, or one linked to a business, which has previously found to be making false and misleading claims about their products, will not be eligible for Australian Fibre Collective Trade Mark Licensing.