

10. INTELLECTUAL PROPERTY AND COMMERCIAL PARTNERSHIP REGULATION

10.1 Purpose of this Regulation

10.1.1 **Purpose:** In accordance with the SLSNZ Constitution, the purpose of this Regulation is to set out additional detail on:

- (a) The Intellectual Property owned and administered by SLSNZ and the rights held by SLSNZ in respect of the Intellectual Property;
- (b) The process for SLSNZ to negotiate and secure National Initiatives; and
- (c) The process for Clubs to follow when negotiating and securing Club Initiatives.

10.2 Commencement Date

10.2.1 This Regulation shall take effect and come into force on 12 December 2022.

10.3 Definitions

10.3.1 The following words and phrases used in this Regulation shall mean as follows:

“Authorised Representative” means the SLSNZ Marketing and Sponsorship Manager or any person given the express written consent of the Chief Executive;

“Club Initiative” means any partnership agreement, marketing programme or fundraising arrangement entered into by a Club;

“IPONZ” means the Intellectual Property Office of New Zealand;

“National Initiative” means any partnership agreement or fundraising arrangement that has been approved by the Chief Executive under this Regulation to apply throughout New Zealand;

“SLSNZ Trade Mark Portfolio” means the portfolio of SLSNZ trade marks (both established in common law use and registered with IPONZ) held by the Chief Executive under this Regulation.

“SLSNZ Brand Guide” means the document specifying the use of the SLSNZ logo and intellectual property. This document also specifies the properties controlled by SLSNZ that can be associated with SLSNZ

partners – such as the SLSNZ logo, lifeguard patrol uniform, IRB's, flags and other lifeguarding equipment and signage.

10.4 Intellectual Property

- 10.4.1 **Licence:** All Intellectual Property held by SLSNZ is the sole property of SLSNZ and SLSNZ retains the right to licence the use of the Intellectual Property to third parties subject to this Regulation.
- 10.4.2 **Brand Guide:** The Chief Executive is responsible for maintaining the Brand Guide and may amend the Brand Guide from time to time. All Clubs and Members must ensure that they strictly comply with the Brand Guide at all times.
- 10.4.3 **Maintenance:** The Chief Executive will maintain appropriate records in respect of the Intellectual Property (including keeping the SLSNZ Trade Mark Portfolio current) and may instruct its Authorised Representative to lodge any further trade mark applications with IPONZ as required.
- 10.4.4 **No unauthorised use:** All Members shall work together with SLSNZ to protect and prevent the unauthorised use or exploitation of the Intellectual Property. No Member shall use, in part or in whole, any Intellectual Property without the express prior written authorisation of the Chief Executive (or its Authorised Representative) under these Regulations.

10.5 National Initiatives

- 10.5.1 **Approval:** The Chief Executive (or its Authorised Representative) is responsible for managing and negotiating any National Initiative and will maintain a record of all current National Initiatives. All National

Initiatives require the written approval of the Chief Executive prior to final sign off.

- 10.5.2 SLSNZ is able to sign up partners without approval from any other party where it is in relation to the use of SLSNZ IP and properties.
- 10.5.3 **No Conflict:** The Chief Executive shall not provide their written approval for any National Initiative that is in direct conflict with a pre-existing National Initiative.

10.6 Club Initiatives






- 10.6.1 **Club Responsibility:** Each Club Chair (or their Authorised Representative) is responsible for managing and negotiating all Club Initiatives that will apply to his/her Club.
- 10.6.2 **Initiative:** Clubs are able to sign up Club Initiatives without approval from any other party where it is only creating an association with their own Club intellectual property / properties.




10.7 Conflicts

- 10.7.1 **Club versus National partnerships:** It is recognised that at times there will be conflicts between Club Initiatives and National Initiatives, and this is acceptable except where it relates to branding on any of the SLSNZ properties which have provision for a Club partner (such as the specific space provided for a Club partner on the lifeguard uniform) which are specified in the SLSNZ Brand Guide.
- 10.7.2 **Pre-existing relationships:** If SLSNZ signs up a National Initiative that conflicts with a pre-existing Club Initiative, then there will be no obligation for the Club Initiative to be relinquished. A Club can sign up a Club Initiative where there is a conflict with a pre-existing National Initiatives, but only in the circumstances described in 10.7.1.

10.8 Leverage Support

- 10.8.1 **By Clubs for National Initiatives:** Where SLSNZ requires leverage support at a club level it will negotiate and get agreement from the Club(s) concerned.

REGISTERED TRADE MARK	TRADE MARK CLASSES														
	3	9	12	16	18	20	22	24	25	28	32	35	36	41	42
 <p>SURF LIFE SAVING NEW ZEALAND</p> <p>TM No. 645863,</p>															
671348															
671349															
671350															
672404															
 <p><i>In it for life</i></p> <p>Logo – various colour combinations TM No.785539</p>															
 <p>National Jandal Day</p> <p>TM No. 815688.</p>															
SURF RESCUE TM No 816712															
 <p>SURF SPORTS NEW ZEALAND</p> <p>TM No. 645857</p>															
 <p>BEACHED</p> <p>TM No.645855</p>															
TM No. 671344															
SURF TO SCHOOL TM No. 780460															
CITY NIPPERS TM No. 780459.															

REGISTERED TRADE MARK	TRADE MARK CLASSES														
	3	9	12	16	18	20	22	24	25	28	32	35	36	41	42
 TM No. 967188															
 TM No. 1001530															
 TM No. 1001531															

GOODS SPECIFIED IN TRADE MARK CLASSES

Class 3: Cosmetics

Including sunscreens, anti-perspirants and deodorants; soaps; perfumery; essential oils; all other toiletries in this class

Class 9: Electronic Goods

Including , Electric, electronic, photographic and teaching apparatus and instruments; apparatus for recording, transmission or reproduction of sound or images; videos, records, CD-ROMs, DVDs and any other record, transmission or reproduction of any visual image recorded in any electronic media; downloadable electronic publications in this class

Class 12: Vehicles

Including land vehicles; boats; apparatus for locomotion by land, air, or water; parts and fittings in this class for the foregoing goods

Class 16: Printed Matter

Including paper, cardboard and goods made from these materials, not included in other classes; advertisement boards of paper or cardboard; event signage in this class; printed matter, including books, booklets, timetables and publications; first aid manuals; almanacs; albums; catalogues; pictures and photographs; stationery, including envelopes, folders, labels, writing pads and paper, writing materials and note books; diaries; magazines; calendars; paper flags; posters; cards, including business cards and postcards; tickets; drawing materials and drawing pads; stamps

Class 18: Bags

Including shopping bags, school bags, beach bags, travelling bags, purses, wallets, and satchels; umbrellas including beach umbrellas; key cases and holders in this class

Class 20: Key Rings

Including furniture; picture frames; goods not included in other classes of wood, cork, reed, cane, wicker, horn, bone, ivory, shell, amber, mother-of-pearl and substitutes for all of these materials or of plastics; cushions including air cushions and air mattresses (not for medical purposes), sleeping bags, display boards, non-metallic identity plates, statues and statuettes; drinking straws; packaging containers of plastic

Class 22: Tents

Including awnings; tarpaulins; sails; sacks and bags (not included in other classes); ropes; string; nets

Class 24: Flags (not of paper)

Including towels; textile goods in this class; travelling rugs

Class 25: Clothing, Footwear and Headgear

Including wetsuits, swimwear, protective clothing for swimming, t-shirts, caps, hats, beach clothes, and tracksuits

Class 28: Sporting Equipment

Including training apparatus and equipment in this class; sporting bags included in this class; games; toys including soft toys; playthings; activity packs in this class

Class 32: Mineral Water Beverages

Including aerated water and other non-alcoholic beverages; fruit juice beverages and fruit juices; syrups, powders and other preparations for making beverages; sports drinks; beers; ale and port; non-alcoholic beers and beverages containing beer

Class 35: Advertising

Including promotional and information services in this class; business management and administration services; retail services relating to the sale of memorabilia, souvenirs, sporting articles, clothing, sunscreens, bags, flags, and other goods related to surf life saving; provision of statistical information, including statistical information provided electronically; systemisation of information into computer databases; information, advisory and consultancy services in relation to all the aforesaid services including such services provided via the internet

Class 36: Charitable Fundraising Services

Including services in collecting, processing, distributing and applying monies for charitable purposes; collections relating to gaming machines; organising charitable appeals and public awareness campaigns to raise money for charitable purposes; providing financial assistance; trusteeship; sponsorships; arranging sponsorship activities, including for charitable purposes; information, advisory and consultancy services in relation to all the aforesaid services including such services provided via the internet

Class 41: Provision of Entertainment

Including sporting and cultural activities; educational, training and instruction services including organising and conducting training seminars, conferences, conventions, assemblies and workshops in the field of surf life saving or other philanthropic or service activities, and distributing course materials in connection with the aforesaid services; organising, operating, supervising and guiding the formation of clubs or organisations for surf life saving or other philanthropic or educational purposes; organisation of events and exhibitions including surf life saving activities and competitions; production, presentation, and distribution of television and radio programmes, interactive entertainment, films, sound and video recordings, interactive compact discs, DVDs and CD-ROMs; publication of magazines, books, directories and manuals; information, advisory and consultancy services in relation to all the aforesaid services including such services provided via the internet

Class 42: Professional Advisory and Consultancy Services.

Professional advisory and consultancy services relating to surf life saving rescue services in this class and the provision of first aid and medical assistance; wholesale, retail and distribution (other than delivery or transportation) services associated with the above.