

QBE

1. 3.2.2 - as indicated by page 5 of the issues paper, educative tools are insufficient. Accordingly, there should be structural change;
2. 3.2.3 - the business names register should be abolished as registration makes some think proprietary rights are granted through registration. The UK system is preferable, as less confusing, meets the consumer protection aim of customers knowing the principal and is not likely to be more costly than registering business names;
3. 3.2.4 - a trademark search should be made a condition of company name registration, and if retained, business name registration. This is subject to the ease and cost of searching being minimal. Educative material should minimise confusion over the search result, eg not conclusive;
4. 3.2.5 - if business name registration is retained, a central register is preferable, eg one rather than eight searches. Again this is subject to the ease and cost of searching being minimal. Also a trademark search should be mandatory prior to any business name registration - see point 3;
5. 3.2.6 - if not too difficult and relatively inexpensive, central business/company name registers would be useful;
6. 3.2.7 - the UK system on business names or a central business names register are sufficient. A two-tier trademark system is too much of a change. Applicants may choose a second-tier trademark registration when they really wish and/or could easily afford a first-tier registration; and
7. 5.2 - the Trade Practices Act in particular (and its state equivalents) is sufficient protection to challenging business/company names.

By way of background, QBE Insurance Group Limited has been listed on ASX since 1973, has a market capitalisation of over \$7 billion provides general insurance and reinsurance, mainly in commercial lines (as opposed to personal lines such as home and motor); and operates in 38 countries, with Australia constituting approximately 20% of the Group's business with around 2,500 employees.

Part of my responsibilities include trade mark registration.

Regards

Duncan Ramsay

General Counsel and Company Secretary
QBE Insurance Group Limited