




**Initial assessment of Certification Trade Mark application 1845132
lodged by Tobacco Free Portfolios Limited**

The Australian Competition and Consumer Commission (the ACCC), in accordance with the requirements of the *Trade Marks Act 1995*, has completed its Initial Assessment of the above Certification Trade Mark (CTM) application.

The ACCC's initial assessment is that it is satisfied that:

- (a) the approved certifiers demonstrate the attributes necessary to competently certify the goods in respect of which the CTM is to be registered;
- (b) the rules governing the use of the CTM would not be to the detriment of the public; and
- (c) the rules governing the use of the CTM are satisfactory having regard to the principles relating to restrictive trade practices set out in Part IV of the *Competition and Consumer Act 2010* (the Act) and the principles relating to unconscionable conduct (Part 2-2), unfair practices (Part 3-1), and safety of consumer goods and product related services (Part 3-3) in Schedule 2 (Australian Consumer Law) of the Act.

The ACCC proposes, subject to any request for a conference or lodgement of written submissions pursuant to the *Trade Marks Regulations 1995*, to issue a final assessment approving the CTM application.

Signed.......... (Deputy Chair)

Date..... 19.12.18