

# PARKER & PARKER

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COPY

OUR REFERENCE MEB:JON816023  
YOUR REFERENCE

12 July 1982

PRIVATE AND CONFIDENTIAL

Mr. John Longley  
America's Cup Challenge  
1983 Limited  
32nd Floor  
City Centre Tower  
44 St. George's Terrace  
PERTH WA 6000

Dear John,

## Patent Application

I enclose a copy of a very helpful letter just received from Douglas Henderson in Washington.

I have drawn the following conclusions from Henderson's advice:-

1. You will recall that we stopped short of lodging an application in the United States in order to maintain strict security. The signing of a description of the invention in the United States was calculated to ensure priority. Whilst Henderson confirms that the priority date of February 5th 1982 will be preserved provided the application is lodged within one year of that date, his comments on the nature of the security at the United States Patent Office are such that I would recommend that we should instruct Veldhuijsen to proceed to file a U.S. application.
2. You will note Henderson's comments on the U.S. design laws. I am expecting to receive an English translation of the Dutch application in the next few days and will send a copy to Henderson for his further assessment.
3. I agree with Henderson's suggestion (on page 3) that a copyright notice should be placed on all drawings of the hull design that are in existence.

The Universal Copyright Convention ("UCC") provides that in order to receive protection in a number of foreign countries (including the USA) from the first time of publication a notice should be placed incorporating the

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symbol © accompanied by the name of the copyright owner and the year of first publication, - "placed in such manner and location as to give reasonable notice of claim to copyright" - for example if the drawings were first published in 1980 and the copyright is claimed by Ben's company Norport Pty. Ltd. the following mark should appear on all copies of the drawings:-

" © Norport Pty. Ltd., 1980".

The most convenient way of handling this is probably to have an appropriate rubber stamp made. In Australia there is no filing or registration procedure required in order to complete copyright protection.

I would however suggest that it may well be worth endorsing on any plans, in close proximity to the notice mentioned above, words to the effect that:-

"This drawing was prepared for Norport Pty. Ltd. and Copyright therein belongs to that Company. All rights conferred by the law of Copyright and by virtue of international copyright conventions are reserved to the Company. Reproduction requires the prior written consent of the Company. As the drawing may incorporate confidential information of the Company, its disclosure to others requires the Company's prior written consent."

I will look forward to your comments and further instructions.

With kind regards,

Yours sincerely,

*Michael Boud*  
MICHAEL BOUD

Further to Boud's advice a Aluminium transfer with the lettering

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is being prepared to be placed on the transom ...  
Grant

Encl.  
GR