

IN THIS ISSUE

- Upcoming Exhibitions and Events.
- President's Report by Jerome Wielens
- Intellectual Property Matters for Woodworkers and other Craftspeople, by Mark Wakeham.
- Create from a Crate 2016, by Andrew Potocnik.
- Current VWA Committee and Contacts.

UPCOMING EXHIBITIONS AND EVENTS.

Thursday 29th September at 10:30 to 12:00pm.

Tour of Maton Guitars workshop

Thursday 29 September 10.30am - 12.00 noon.
6 Clarice Rd
Box Hill 3128

Note there is a limit of 12 people max for this tour, so anyone interested will need to book a place by contacting Stephen Ziguras at stephen@ecowooddesign.com.au.

Maton Guitars specialises in creating superbly crafted guitars from Australian timbers such as Blackwood, bunya, Queensland Maple, Queensland Walnut and now Satin Box. After being based in Bayswater for many years, the company relocated to a larger facility in Box Hill, in an attempt to satisfy the overwhelming demand for the handcrafted instruments. The new purpose built facility is four times the size of the old factory in Bayswater.

In the early 1940s, Melbourne jazz musician Bill May established a custom guitar manufacturing and repair business. This enterprise was so successful that Bill's older brother, Reg joined him as a full time guitar maker in 1946 and the 'Maton Musical Instruments Company' was born. Bill May pioneered the use of many Australian wood species in guitar construction and is regarded by many Australian luthiers as the founding father of their industry.



Wednesday 26th October at 7.30 pm.

Annual General Meeting.

Venue: Arts House Meat Market Meeting small meeting room, 5 Blackwood Street North Melbourne. 3051. We strongly urge our members to attend, catering will be provided.

President's report by Jerome Wielens

Some may curse the cold weather at this time of year but look on the bright side – longer glue up times and the enjoyment of the different smells from the exotic timber off cuts as they burn in the fire to keep us warm.

It has been a busy year for the VWA with two successful Create-from-a-Crate exhibitions held back to back in Dandenong and Ivanhoe in February and March. We had over 30 entries from all over Australia and attracted nearly 2,000 visitors through these exhibitions. Additionally we were able to sell a significant number of the pieces available for sale.



I wish to offer a special thank you to all of our entrants for helping to create another diverse and high quality show. Congratulations again to our prize winners Jeremy Brown, David Hall, Clare Solomon and the People's Choice winner Alex Springall. I would also like to thank all of the volunteers who gave up their time putting the exhibition together, our events manager Emer Diviney, Meg Allan for her administration and the stoic effort and drive from Ward Petherbridge.

The success and media attention from these exhibits has led to a request for us to put together a mini CFAC exhibition in the Art and Crafts Pavilion at this year's Royal Melbourne Show. If you are interested in volunteering some time to help out at the stand please get in touch with me president@vwa.org.au. Volunteers will get free entry into the show and may get other benefits.

In sadder news, we recently lost one of our Life Members, Jane La Scala, who passed away on the 23rd of March. Jane joined the VWA committee in 1995 as secretary, on her retirement as the State Librarian of Victoria. Over the next 10 years, she shared her considerable skill and experience with the VWA. She made a significant contribution in developing the VWA's framework and governance policies, as well as making connections with allied art and craft associations. One of Jane's lasting contributions was setting up the VWA website. In these early days of webhosting, Jane saw the potential for creating a website not only as a means of raising the profile of the VWA, but as a resource for all woodworkers. She will be greatly missed.

We have also seen two of our tenants leave the tenancy program early. Keira has returned to north Queensland to be with her family and Isabel is exploring other options as she focuses on different aspects of her creative pursuits. Isabel will continue to assist at the VWA School on Saturday mornings. We wish Keira and Isabel all the best with their next challenges.

Lastly, the Committee have decided to award one of its members with our highest honour. A Life Membership is only bestowed on members who have made tireless contributions at all levels of the Association over a period of many years. It is our highest accolade and one that has only been awarded on three previous occasions in the 40 year history of the VWA. Will Matthysen has been intimately involved with the VWA over the past 20-odd years. He has held numerous positions on the committee including two stints as President. He helped guide the VWA out of some disarray and has helped shape it into the organisation that it is today. He is a constant supporter of VWA activities both as an organiser and a participant. Will joins a prestigious club comprising Hamish Hill, Vic Wood and the late Jane La Scala. We will celebrate Will's involvement with the VWA in proper style at this year's AGM. I hope to see you all there.

All the best, Jerome.

Intellectual Property Matters for Woodworkers and other Craftspeople, Part 1, by Mark Wakeham.

Intellectual Property (IP) is the rather pompous sounding general term used to describe the range of creative endeavours undertaken by people from all walks of life ranging from the Astrophysics scientist pondering the distant galaxies to the humble basket weaver running a cottage industry from their back shed.

Such creative endeavours go a long way to defining our humanity and span a vast range of activities. The potential value of creative thought has been recognised since time immemorial and dating back to 1623 the Statute of Monopolies was drawn up to provide protection by way of the issue of a “letters patent” for inventions deemed to be a new manner of manufacture. It is of some interest that the Statute of Monopolies is still relevant to today’s patent laws; however a range of complementary additional laws have since been developed to assist in defining and protecting a range of intellectual property types in addition to patents for inventions.

In order to provide some guidance through the maze of IP laws that may be relevant to craftspeople I will commence these articles with a brief outline of the types of IP available and the relevant laws involved.

Intellectual Property Types

Intellectual Property, as its name suggests is a legally definable form of protection for the work resulting from intellectual endeavours. In order to serve this purpose, various pieces of legislation have been devised to protect aspects of intellectual endeavour.

These include (but are not limited to):

- (a) The Patents Act for protecting the way things work;
- (b) The Trade Marks Act which protects the branding of goods and services;
- (c) The Designs Act which protects the shape, appearance and general look of an object; and
- (d) The Copyright Act which protects a broad range of matters, but mainly literary and artistic works from copying.
- (e) In addition to the above clearly defined pieces of legislature; Trade Secrets, confidential information and the Trade Practices Act provide additional ways of protecting intellectual property.

So, from this bundle of legal provisions some type of protection or definition of just about any creative motion can be found. However, in order to secure protection some positive action is usually required by the person involved and often positive steps must be taken in a timely manner or the potential to secure protection can be lost forever.

Why seek protection?

Protection of a craftsperson’s IP is mainly sought for commercial reasons.

Protected IP serves three main purposes:

- 1) Protected IP is a deterrent to copying. If a target piece of work is clearly marked as protected most people will think twice before making a blatant copy and selling in the market place.
- 2) Protected IP provides a clear definition of exactly what the intellectual property comprises and serves as an excellent licensing tool if the owner cares to sell the IP.

- 3) Protected IP that is infringed can be actioned by litigation commencing with a letter of demand drawing the offending party's attention to your rights and the existence of the protected IP right through to full blown litigation in the courts if they ignore your demands to cease infringing.

Whilst understanding all aspects of Intellectual Property is important to ensure full cover and protection of any intellectual endeavour, with patents providing the lion's share of the "heavy" side of IP, designs are likely to be most relevant to craftspeople in general. Hence, I will start with a short introduction to Design registration and move onto discussing the other types of IP in follow up articles.

Registered Designs

Design registration is concerned with the way things look, rather than the way they work. A registered Design provides a monopoly for a limited period of 10 years. The design must be new and original.

What can be registered?

Most articles with a three dimensional shape can be registered for the shape and configuration of the article.

A new pattern or ornamentation applied to a two dimensional article can also be registered.

How is Registration obtained?

Representations of the article, which fully and clearly show all views of the article, are filed at the Designs Office (IP Australia) either by post or on-line along with payment of a filing fee of \$250 and a request for "registration".

The Designs Office will check that you have completed all the formalities (spelt your own name correctly etc.) then "register" your design. However, this registration is **not enforceable** and is **not checked for newness or novelty**.

In order to render your registration enforceable and of meaningful legal value you must take another step of filing a request for examination of your registration and pay another fee \$420 this time.

The Designs examiner will then conduct a search to look for similar designs and if your design appears novel the examiner will issue a "Certification of Examination". If the examiner finds a similar article or design they may issue an adverse report and refuse to certify the registration.

Only at this stage you will have enforceable rights.

When should a design be filed?

BEFORE any public disclosures of the article or any sales. Even an **offer** for sale can invalidate a design.

As soon as the final shape is decided, but before any public trials or disclosure.

Do I need professional representation?

A design application can be prepared and filed by the applicant without using a professional.

However, the careful preparation of drawings and the wording used on some of the forms is important in securing the best protection. A registered attorney can arrange drawings that properly represent your design and will satisfy all the formality requirements of the office. But, the most important contribution a good attorney will provide is sound guidance on the most appropriate type of protection suited to your project.

Often a combination of design, patent and trademark protection is required and an experienced attorney is best placed to provide that type of guidance.

Mark Wakeham 2015

Mark is a recently retired intellectual property attorney and now runs a small woodworking business following a lifetime interest in the craft.

He can be contacted via his profile on the VWA website.

Intellectual Property Matters for Woodworkers and Other Craftspeople, Part 2, by Mark Wakeham.

My introductory article last time presented a broad guide to the various types of Intellectual property (IP) available to craftspeople and the general public for protecting and defining creative endeavours.

A brief outline of design registration was also given as this is one of the key IP types likely to be of use to craftspeople.

Patents

In this article, I will look at patents with a preliminary introduction to this key IP type.

Patents are concerned with how things work, rather than how things look (Designs). The manner of how an object works or performs its function is generally a far broader consideration than how it looks. For example, a pepper grinder mill with an improved grinding mechanism may take on a certain appearance; however, the new grinding mechanics can possibly be applied to a vast range of mills. Hence, a patent protecting how the mill works will provide much greater protection than a registered design that would only protect for how the prototype mill looked.

What can be patented?

Virtually any object or process can be patented providing it is new and inventive and represents a “manner of manufacture”. Patents are a very old legal concept dating back to 1624 when the Statute of Monopolies was drawn up. Without dragging my readers through a long winded history lesson, the origin of how the Deed of Letters Patent came about is an intriguing and insightful story.

History lesson 101

Looking back to the 1400 and 1500's (as one does) the King of England would happily grant an exclusive monopoly to anyone who asked and paid a certain amount of tax. One day a situation arose where the king granted a monopoly (for playing cards I think) to a second person unaware that a monopoly had already been granted to a first person. Needless to say this caused some consternation and it was decided the casual granting of monopolies to anyone that asked required some control. Hence the Statute of Monopolies was drawn up requiring that any fresh monopoly must be for a “manner of **new** manufacture”. Here we have the birth of the patent system we know today. It is remarkable that the choice of wording which limited a fresh patent to only something

demonstrating that it is **new and a manner of manufacture** was sufficiently crafted that this definition endures to this day as sound law.

Novelty

So far so good; patents are concerned with objects or processes that are new, that are novel and have not been done before, and objects or process that give rise to a manner of manufacture. That is to produce a **tangible** result, in contrast to a mathematical formula that may solve an equation in a better way but not provide any tangible product.

Clearly, the types of things and processes craftspeople create are generally tangible things and if **new** may be patentable. However, in addition to being new the object or process in question must be “inventive” or include an inventive step.

Inventive step

An object or process may be technically “new” if it differs from what is known before, called the **prior art**, in a minor or trivial way. For example, a hand trolley painted chartreuse colour may be “novel” if no one has painted their trolley that colour before. However, a patent for a chartreuse coloured trolley will fail to secure grant as it only differs from the prior art in a trivial way that does not make any meaningful contribution to the way it works. Hence, the chartreuse trolley will fail to show inventive step and be rejected by the patent office.

Mind you, only a scintilla of invention is required to secure the grant of a patent; however, the skill of an experienced attorney may be required to convince the patent office, depending on how the patent examiner is feeling on the day!

Procedure

Securing a granted patent is a multi stepped process that can be complex and costly and should not be initiated without due thought.

However, once your invention is disclosed; that is: sold, displayed or published in any way by **you or anyone else**, it is technically no longer new. Such a disclosure before filing a patent application can seriously compromise your ability to secure a valid patent.

So, if you do invent something, a timely decision to file a patent application or not to file a patent application are both important.

Let's say you decide to proceed; what is involved?

- 1) A provisional patent application must be filed including a written description of how the invention works and a fee paid to the patent office. The provisional application establishes a priority date. It is not reviewed by the patent office, does not mature into a granted patent and lapses after 12 months unless you go to step 2
- 2) A complete patent specification must be filed within 12 months claiming priority from the provisional filed in step 1. The complete specification may mature into a granted patent and must include a full description of how the invention works and also include a set of claims defining your invention.

The description and definition of your invention are two quite distinct and different things. Anyone reasonably proficient in clear writing can describe how their invention works. However, few people can adequately **define** their invention as this is a highly prescribed legal concept and it is here you do require a skilled patent attorney.

- 3) The next step involves the patent office examiner reviewing your application and deciding if it is clearly written and importantly if your claimed invention is new and inventive. Here the examiner will conduct a search of the “prior art” and in all likelihood tell you your invention is not new or inventive enough in the light of some prior art found in the search.
- 4) The next step involves deciding if the examiner is correct and either responding with argument and possibly amending your claims or abandoning the application.
- 5) If you decide to respond and are successful, the examiner will recommend your application for acceptance and your application’s acceptance will be advertised for opposition by any interested parties (anyone concerned that your patent may affect them).
- 6) If nobody opposes your application and you pay the appropriate fee your application will be granted as a patent.

So, as you see securing a granted patent is involved (even in a straight forward case). However, a granted patent but can have valuable commercial benefits to the owner.

Next time we will look at trademarks as an important tool in branding and marketing your craft.

Mark Wakeham is a recently retired patent and trademark attorney enjoying his retirement building furniture in his shed. His registered trademark is TIMBER TAILOR.

He can be contacted via the VWA portal or his website www.timbertailor.com.au.

Create From a Crate 2016 by Andrew Potocnik

Create from a Crate has evolved over several years culminating this year in two presentations, one in Dandenong at the Walker Street Gallery and then at Hatch Contemporary Arts Space in Ivanhoe, a venue that proved to be a very successful venue two years ago.



Create from a Crate at the Walker Street Gallery, Dandenong

This year’s presentation grew on the back of previous shows leading to greater success witnessed at preceding exhibitions both in attendances and sales, providing initiative for more exhibitions to come... There was a wonderful diversity of pieces presented, musical instruments, furniture of all types and styles, items carved, turned and fashioned into anything the mind can conjure. This was an exhibition showcasing how low grade material can be converted into high grade end products, often challenging the viewer’s concept of how this could be possible.

Speaking to an audience of understanding practitioners I know I'm preaching to the converted, but how can we convert others to understand not just how raw material can be transformed into brilliant new works, but how the effort required should be compensated with a fair payment. All too often consumers question the value of a finely crafted wooden item wondering how long it took to make the piece without considering the number of years of trial, practice, failure and consistent learning it takes to develop skills that allow a product to be made in a certain number of hours...



VWA President Jerome Wielens delivers the opening address at the Hatch Gallery, Ivanhoe.



Opening night at the Hatch Gallery, Ivanhoe. Chess set by Peter Harris, front left, and Chess set and table by Anne-Maria Plevier, front right, a masterful exercise in multi-axis turning.

artisans. Slowly we are getting there... and sales reflected this.

All this aside, who could predict works entered in the show... differing from a surfboard to a handbag along with the usual bits of furniture, but how many chair designs can you conjure, along with table variations... This exhibition never fails to challenge surprise and inspire audiences with enchantment and revelation!

Now firmly established as a regular event on the Banyule calendar Create from a Crate has an audience looking forward to the next offering, keen to embrace the best of work extracted from crates, not simply because finished articles have been drawn from waste material, but what can be made of wood. Increased sales showed that the public is embracing recycled wood as a medium through which numerous ideas and objects can be expressed, but I believe we now need to build on this acceptance to ensure the general public understands is a fair price for work made locally by skilled

Prize-winning pieces spoke for themselves, but there were many other works that won praise from the public, and votes varied between the Dandenong and Ivanhoe venues. However the People's Choice at both venues backed Alex Springall's Cabinet featuring delicate inlays of natural origins, indicated the public's appreciation of skill and ingenuity, which was backed by its sale late in the exhibition.



Alex Springall's inlay cabinet, winner of the People's Choice Award.



Jeremy Brown, right and Ward Petherbridge, left. Jeremy won the First prize for his minimalist chair.

The

judge's eyes were caught by Jeremy Brown's chair stripped back to bare essentials, which was awarded First Prize. A fine piece from an up and coming student from the ANU's Furniture Design course.

Second was David Hall's finely executed *Stack of Crates* Cabinet relating directly to the crates from which it grew.



Clare Solomon's *Decisions on the Run* satchel showed a completely different approach to working with wood.

She too is a student of the ANU and how good is it to see students taking on the challenge of this exhibition? I for one look forward to seeing what they go onto creating in the future.



Clare Solomon's *Decisions on the Run* satchel.

David Hall's *Stack of Crates* cabinet.

There were many fantastic pieces on show ranging from Tom Brunnekreef's surfboard to Jonathon Cohen's Cigar Box Guitar, along with a video of him playing it. Anne-Maria Plevier's multi axis turned chess set and table showed a combination of skills and clever use of materials. It was one of the many pieces that sold during the show... a great result. Hamish Hill's Table Top Loom appealed



Tom Brunnekreef's surfboard.



Hamish Hill's Table Top Loom.

to audiences earning him second in the People's Choice, but then there was Peter Talbot's *Point of Origin* wall hanging and Andrew Downie's *Coffee Table*. Difficult to fathom that Andrew is blind!

No matter whether anyone's piece won an award, sold, or received a people's choice vote, every single piece contributed to the overall success of this show and helped inspire new makers, whilst challenging the thinking of people who simply see wood as a cheap material and crates as being nothing more than waste.

Collectively, we continue to challenge perceptions of the masses and slowly turn them around to see just what working with wood is really about...



One of Andrew Potocnik's Boxes.

Current VWA Committee and Contacts:

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Secretary	Stephen Farquhar	0419 311 010
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Exhibitions Sub-committee	David Hall	0419 514 725
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Committee Member	Andrew Potocnik	0419 875 811
Committee Member	Mark Wakeham	0400 102 551
Committee Member	Sam Johnston	0404 520 680
Committee Member	Ward Petherbridge	0418 350 551
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