

**IN THE SUPREME COURT OF
NEW SOUTH WALES
SYDNEY REGISTRY**

**COMMON LAW DIVISION
DEFAMATION LIST**

No. 13229 of 2001

**NOTICE OF CHANGE OF
ADDRESS FOR SERVICE**

Filed for Klaus Zimmer-Vorhaus

**THE INSITIUTE OF PATENT
AND TRADE MARK
ATTORNEYS OF AUSTRALIA**

First Plaintiff

JOHN M SLATTERY

Second Plaintiff

KLAUS ZIMMER-VORHAUS

Defendant

STEPHEN HODGES

Solicitor

2/225 Macquarie Street

SYDNEY NSW 2000

DX 769 SYDNEY

Tel: 9223 8999

Fax: 9223 8790

Ref: SPH:st

The defendant who has previously
acted for himself in this matter

now appoints as his solicitor

STEPHEN HODGES 2/225

Macquarie Street, Sydney, 2000,

D.X. 769 Sydney, Telephone 9223

8999, facsimile 9223 8790 which

is the defendant's address for

service.

DATED 31 January 2002

Solicitor for the Defendant

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 31 DECEMBER 2000 (cont)**

12. TAXATION

Changes to interpretation of tax law indication that provision of \$7800 (1999 - \$3500) may need to be set aside for income tax on investment income.

13. FUTURE CONTRACTUAL COMMITMENTS AND CONTINGENCIES

a. Contingency for costs of legal action to deter slanderous activity on the Internet \$15000.

b. Contractual Commitments - Nil

No luck with that one

14. ACCOUNTING POLICIES

a. The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards and other mandatory professional reporting requirements and the Corporations Law

The accounts have been prepared on an historical cost basis and except where stated do not take into account current valuations of non-current assets.

b. Plant and equipment is depreciated over estimated useful life using the diminishing value method.

c. The Institute is a non-profit organisation for tax purposes and income from fees, subscriptions and levies received from members is not taxable. While all income was considered to be exempt in past years, income not received from members is now subject to income tax at company tax rates after allowing for related deductible expenses.

d. Provision is made for long service leave in the accounts where employees exceed 5 years service. As in past years no provision has been set aside in case of employee redundancy.

These notes form an integral part of the accounts

6. **INDIVIDUAL WELCOME** (cont)

(iv) Visitors Present

Eager, W
Tan Tee, J
Thompson, K

IPIC, Canada
Allen & Gledhill, Singapore
A J Park , Wellington

7. **MINUTES OF THE EIGHTY-FIRST (2000) ANNUAL GENERAL MEETING**

It was **moved** by Mr Slattery and **seconded** by Mr Cowin that the minutes of the Eighty-First Annual General Meeting held on Thursday, 6 April, 2000 at the Hotel Sofitel, Melbourne, having been circulated be confirmed.

Carried

8. **MATTERS ARISING FROM MINUTES OF PREVIOUS ANNUAL GENERAL MEETING**

Nil.

9. **ANNUAL ACCOUNTS AND REPORTS**

Mr Colin Macauley, Convenor of the Finance and Secretariat Committee, advised that the 2000 Annual Conference and Academy courses had produced a surplus, however, the expenses incurred in operating these activities had not been taken into consideration. Mr Macauley added that the accounts included a provision for the cost of legal fees relating to the case against Mr Klaus Zimmer.

It was **moved** by Mr Colin Macauley and **seconded** by Mr Peter Huntsman that the Balance Sheet, Revenue Statement and Statement of Cash Flows, together with Notes to and forming part of the Accounts be accepted.

Carried

It was **moved** by Mr Michael Houlihan and **seconded** by Mr Alun Thomas that the Auditor's Report dated 18 April, 2001, the Declaration by Councillors dated 19 April, 2001, the Councillors' (Statutory) Report dated 19 April, 2001 and Councillors' Reports be accepted.

Carried

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 31 DECEMBER 2001 (cont)**

13. FUTURE CONTRACTUAL COMMITMENTS AND CONTINGENCIES

- a. Contingency for costs of legal action to deter slanderous activity on the Internet \$5,000 (2000 - \$15,000).
- b. Contingency for contribution to costs on GST test case \$43,800.

14. ACCOUNTING POLICIES

- a. i The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards, Urgent Issues Group Consensus Views and other authoritative pronouncements of the Australian Accounting Standards Board.
- a. ii The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets
- b. Plant and equipment is depreciated over estimated useful life using the diminishing value method.
- c. The Institute is a non-profit organisation for tax purposes and income from fees, subscriptions and levies received from members is not taxable. While all income was considered to be exempt in past years, income not received from members is now subject to income tax at company tax rates after allowing for related deductible expenses.
- d. Provision is made for long service leave in the accounts where employees exceed 5 years service. As in past years no provision has been set aside in case of employee redundancy.
- e. The Institute of Patent and Trade Mark Attorneys of Australia is a Company Limited by guarantee (see note 9) which is incorporated and domiciled in Australia.

These notes form an integral part of the Financial Statements

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 31 DECEMBER 2002 (cont)**

12. TAXATION

Changes to interpretation of tax law indicate that provision of \$17,600 (2001 - \$12,500) may need to be set aside for income tax on investment income. The Taxation Office failed to issue a ruling as requested and recommended that the Institute should self assess its liability to income tax.

13. FUTURE CONTRACTUAL COMMITMENTS AND CONTINGENCIES

a. Contingency for costs of legal action to deter slanderous activity on the Internet \$5,000 (2001 - \$5,000)

14. ACCOUNTING POLICIES

a. i The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards, Urgent Issues Group Consensus Views and other authoritative pronouncements of the Australian Accounting Standards Board and the Corporations Act 2001.

a. ii The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

b. Plant and equipment is depreciated over estimated useful life using the diminishing value method.

c. The Institute is a non-profit organisation for tax purposes and income from fees, subscriptions and levies received from members is not taxable. While all income was considered to be exempt in past years, income not received from members is now subject to income tax at company tax rates after allowing for related deductible expenses.

d. Provision is made for long service leave in the accounts where employees exceed 5 years service. As in past years no provision has been set aside in case of employee redundancy.

e. The Institute of Patent and Trade Mark Attorneys of Australia is a Company Limited by guarantee (see note 9) which is incorporated and domiciled in Australia.

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