



nzsag

New Zealand Society of Artists in Glass Inc.

NZSAG, PO Box 68805, Newton, AUCKLAND

18

Newsletter No 18, 2009

Presidents Report

Glass Book

This project is well underway. As you read this we have almost all of the artists' entries and are checking images and biographic information ready to send it to the publisher. I suspect we will still be chasing some artists for replacement images, payments and other information. The timeline has been much tighter than I would have liked but we have to dance to the publisher's tune. If we had delayed we ran the risk of not having a book ready to launch at the Conference. It is exciting to see the variety of images that have been sent and the number of non NZSAG members who have jumped at the possibility to join NZSAG and also be in the book. There are obviously some artists who have decided for a variety of reasons not to be involved and although disappointed we acknowledge that it is their right to make that decision. However we have over 100 artists involved at this time and expect to get to about 120. Some artists have taken 3 pages, some 2 and many a single page.

The committee have been pleased with the positive comments that many of you have made about the project and these have kept us fixed on delivering a high quality publication. We seem to have been too busy to chase sponsorship although we did lodge an application to Creative New Zealand to help support the project. Several companies have been suggested as being worth approaching for sponsorship monies to support the book and the 2010 Conference.

NZSAG Conference MARK THE DATES IN YOUR DIARY NOW October 23 -25, 2010

The 2010 conference, a celebration of NZSAG's 30 years of history, will be held in Auckland over **Labour weekend October 2010**. We are planning for the conference to start with registration on the Friday with the main conference commencing on the Saturday and concluding on the Monday. The plan is to have an integrating range of lectures and demonstrations and workshops covering as many aspects of glass working as we can manage. We have identified a number of potential exciting overseas speakers and are extending invitations.

The launch of the book "Glass Art – New Zealand Glass 30 years on" will take place during the conference.

Looking Glass, Sarjeant Gallery Wanganui

The artists selected for this show have been announced and are :

Claudia Borella, Hannah Bremner, Lee Brogan, Emma Camden, Christine Cathie, Evelyn Dunstan, Shona Firman, Robyn Irwin, Luke Jacomb, Merryn Jones, Trudie Kroef, Lou Pendergrast-mathieson, Raewyn Roberts, Ann Robinson, Colleen Ryan-priest, Ben Sablerolle, Liz Sharek, Jenny Smith, David Traub, Leanne Williams, Jim Dennison, Ben Young.
Congratulations to you all. It will be interesting to see the pieces.

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www.nzsag.co.nz
nzsag.blogspot.com

Wanganui Glass Week

It seems that the Glass week kicked off with a bang. There were about 300 at the opening party at Chronicle Glass. I have included a few photos .



I had hoped for a full report from Whanganui but unfortunately at the time of completing this newsletter none has been received.

TRADE MARKS - PART 2 (Part 1 was in Newsletter 16)

Introduction

In the last edition of our Art Law Newsletter we began to look at trade marks and why these are so important for visual artists to understand and be able to take advantage of. In this edition of our Art Law Newsletter we'll be continuing our discussion of trade marks and looking more specifically at the advantages of formally registering your trade marks as well as some of the restrictions on the types of trade marks that can be registered.

Trade marks

Just to recap from the last Art Law Newsletter trade marks are a type of intellectual property just like copyright which we have previously discussed in these newsletters as also being a type of intellectual property. A trade mark is essentially something which is used to distinguish the goods or services of one business from another. Trade marks most commonly come in the form of brand names or logos although in practice a trade mark can in fact exist in the colours, smell, packaging or even music associated with a good or service. Examples of well known trademarks would include the word 'Nike' as used by the well known international sportswear manufacturer as well as the Nike 'swoosh' symbol which is used on all Nike clothing.

Last Time

In the last article we looked at how trade marks can be formally registered with the Intellectual Property Office of New Zealand ('IPONZ' www.iponz.govt.nz). However we also discussed how trade marks can also exist as 'unregistered' trade marks where by essentially you may have established some association between your particular goods or services and your brand name or logo but have not yet pursued formal registration of this brand or logo as a trade mark.

Differences

Although trade marks can exist in both these registered and unregistered forms there are some important differences between the protection that is provided to registered trade marks as opposed to unregistered trade marks that you should consider when deciding whether you want to formally register your trade mark with IPONZ or are happy to continue with an unregistered trade mark.

Unregistered Trade Mark

Without boring you with all the legal terminology involved essentially if you have an unregistered trade mark in the event that you think someone is copying your trade mark you first have to gather enough evidence to be able to prove that you have the superior right to use the trade mark and that the other party's actions are in some way likely to affect the rights and value (more commonly

referred to as the ‘goodwill’) you have in your trade mark. If someone is using a brand or logo very similar to yours but in another part of the country where your goods or business are not currently known then you may not be able to prove you have the superior rights to use your particular brand or logo in this case.

Registered Trade Mark

On the other hand with a registered trade mark you are given a lot more certain protection. In New Zealand the owner of a registered trade mark automatically gets rights in their trade mark throughout New Zealand. A registered trade mark owner also doesn’t have to go to great lengths to prove they are the owner of their trade mark as they can just refer to their registration on the trade mark register which is maintained by IPONZ. Indeed probably the only disadvantage to a registered trade mark over an unregistered trade mark is the initial registration fees that have to be paid and the ten yearly renewal fees.

Further Requirements

Although there are clear advantages to registering a trade mark there are in fact some situations where an unregistered trade mark may in fact not be capable of being formally registered. This is because in order to get the advantage of the greater protection provided by registering a trade mark there are a number of further requirements a trade mark must satisfy.

Similarity

Firstly a trade mark cannot be the same or confusingly similar to any existing trade marks. This is important as it goes to the heart of the issue as to whether a trade mark will truly distinguish one person’s goods or services from those of another.

Distinctive

A registered trade mark must also be distinctive. Once again this means it has something which really makes it particular to the goods or services it is used to represent. An example of a trade mark which would not be distinctive would be a name like “The Garage” for a mechanic’s business. This is because the word garage is not a word which people would consider as being special to one particular business as it is a term often used to describe businesses of this type.

Common Terms

Similar to this would also be the case where particular terms commonly used within an industry cannot be registered by one business in that industry for their sole use. For instance once again in the case of a mechanic the term ‘full service’ is a term used throughout the automotive industry to refer a full check over of a car and consequently it would not be appropriate to give the exclusive right to one mechanic to use this as a trade mark in relation to their business only.

Other Examples

Other examples of the types of things which can’t be registered as trade marks include a purely descriptive term such as ‘fast’ for cars generally speaking a superlative like ‘fantastic’ or ‘amazing’ or anything which may mislead people into thinking there is some association between the goods or the services the subject of the trade mark and something else when there is in fact no such association. However despite all of these issues that potentially have to be worked through when wanting to formally register a trade mark the benefits afforded to registered as opposed to unregistered trade marks can make this kind of extra hassle well worthwhile.

Questions?

If you have any queries or questions in respect of the above please don’t hesitate to contact david@mclaughlinlaw.co.nz or on 021 630 201 or 09 363 2738.

Calling for Submissions from Canterbury Glass Artists

A juried exhibition of glass art to be held at COCA Gallery
10 February – 7 March 2009

Submissions are to be made through **image only**, A4 size photographs or digital prints accepted, please include details of artwork (artist, title, media, dimensions, selling price) and artist (name, address, phone, email). If you wish to receive your photos back include return postage.

Non-refundable Entry Fee: \$20 COCA Members, \$25 non Members per entry.

All work needs to be for sale, stipulated price to include gallery commission of 33.3%.

Deadline for Submissions Friday 8 January 2010.

Successful entrants to be notified by 18th January 2010

Please send submissions to COCA Gallery, P O Box 772, 66 Gloucester Street, Christchurch Attn: Rachael Slade. For further information email art@coca.org.nz.

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MGM Sandblasting – also sandblasts Glass objects for artists.

An advertisement for MGM Sandblasting. It features a circular logo with 'MGM SANDBLASTING LIMITED' and a stylized 'M' and 'A'. The background is a blue and white abstract design. Text includes 'Sandblasting Designs On Glass', 'AUCKLAND WIDE COMMERCIAL & RESIDENTIAL', and a list of services such as 'Glass vanities and cabinet designs', 'Murals on glass partitions', and 'Sandblast your 21st keys or giftware'. Contact information is provided at the bottom: Phone: 838-3939, Mobile: 021 238-8740, Email: sblast@xtra.co.nz.

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RE:FRACTION Outdoor Glass Sculpture

The fourth annual RE:FRACTION Outdoor Glass Sculpture exhibition opened at the Sculpture Park @ Waitakaruru Arboretum on Saturday evening, the exhibition runs through to the 18th November. The rain stopped just before the opening and the glass shimmered in the light of late afternoon

The Swarbrick Dixon Glass Awards were judged this year by Karl Chitham. Karl states that “...a number of factors including craftsmanship and aesthetic merit, ... for awards such as this, the dominant criteria has to be a sense of suitability and sensitivity to the fantastic outdoor setting.”

The Swarbrick Dixon 2009 award winner for Excellence in Glass Sculpture is Hamish Webster for his series ‘Mesozoic’ “...The winning work may be a surprise to many who come and view this display. This work captivated me from the moment I glimpsed it through the foliage. It was engaging from the outset – combining a subtle playfulness with a diminutive confidence. It utilized the respected traditions of glass blowing in a way that was both familiar yet all together other-worldly. The work itself appear to seamlessly blend into its natural environment while



simultaneously holding onto the qualities which make glass such an alluring medium both for the maker and the viewer. This piece was most definitely a statement in contradictions”



The Swarbrick Dixon 2009 Student award for Excellence in Glass Sculpture goes to George Agius for her ‘Kai-wiana’ of which the judge said “...A number of works caught my attention and clearly demonstrated a sophisticated understanding of the medium while exploring a whimsical side that is sometimes only possible with the freedom allowed during study

INFORMATION AND DIARY DATES,

Sarjeant Gallery Shop

The gallery shop currently represents many of the Wanganui Glass Group artists but is interested in representing other glass artists as well. If you are interested in selling through the gallery shop please send images to Carmen Toyne (carmen@queenspark.org.nz). No guarantees that your work will be included but it does provide an opportunity.

EXHIBITIONS,

- **Pyramid Gallery, York, UK**
Melting Point - An Exhibition of Contemporary Glass
Saturday 12th September – Sunday 2nd November 2009
- **Corbans Estate Arts Centre, Henderson**
"Eye Candy - Waitakere Glass Art",
Thursday 1st October 6pm - Exhibition continues until 15th Nov
This is an exhibition by selected Waitakere based artists
- **Lake House, Takapuna**
Luminous
 - a group exhibition featuring
 - Peter Viesnik, Susan Louie, Sofia Athineou,
 - Isla Osborne and Brian Chrystall
20th October to 8th November
- **Art Singapore**
9th-12th October 2009, Level 4, Suntec Singapore, Represented by Koru-hk, Hong Kong
- **Milford Galleries – Queenstown**
Glass 09,
21st November – 16th December, 2009
- **Waiheke Community Art Gallery**
"Te Iti Kahurangi - The Most Precious One" (Pounamu / Glass Exhibition)
20th November - 14th December 2009
- **Masterworks, Auckland**
Cats & Dogs, 28 Oct - 18 Nov 09
Participating animal lovers (artists): (Australia) Jonathan Baskett, Miki Kubo, Andrew Lavery, Lee Mathers, Emma Varga,
(New Zealand) Claudia Borella, Evelyn Dunstan, Vicki Fanning.
- **Artereal Gallery, Sydney**
Cats & Dogs
2 - 19 December 09
- **The Colonnade Gallery, National Waterfront Museum, Swansea, Wales**
Saturday October 10th 2009 -January 24th 2010.
"Gathering Light", The Women's 10th International Glass Workshop- an exhibition of 20 international women working in glass. This exhibition has been on show at the Centre International du Vitrail in Chartres, France from 3 October 2008 - 29 August 2009. It is now travelling to Swansea, Wales., www.museumwales.ac.uk/en/swansea
- **Waitakere Trust Art Awards and Lincoln Green Sculpture Awards**
23rd Annual Art Exhibition at Project Space – Corban Estate Art Centre
6th November to 15th November

- **Sarjeant Gallery, Whanganui**
Looking Glass: Reflecting Ideas.
12 December 2009 to March 14 2010,
- **Waitakaruru Sculpture Park**
RE:FRACTION, Outdoor Glass Sculpture Exhibition, Curated by Dorothy Wakeling,
18th October – 18th November 2009,
Sponsored by Swarbrick Dixon, Barristers & Solicitors
- **Quay Gallery Napier**
“Trans-form” Contemporary Glass
12 November – 3rd December 2009
Group show of Northland Kerikeri Glass Artists Sue Hawker, Lee Brogan, Jaymz Edmonds,
Gail Edmonds, Donna Feary,
- **Avid Gallery, 48 Victoria St., Wellington**
Unfurled'
New work by Christine Cathie
11 - 22 November opening Tuesday 10th November 5.30 - 7p.m.
- **Willows Reach**
252 Boord Crescent Kumeu
Kumeu Art in the Garden
7-8 Nov 2009
www.nzartguild.co.nz
- **Eye for Sculpture**
5-8 Nov 2009
See www.eyeforsculpture.co.nz for details of location etc
- **Kings College Art Show**
King’s College
Golf Ave, Otahuhu
Auckland
6-8 Nov 2009
www.kingscollegeart.co.nz
- **Waitakaruru Sculpture Park, Sculpture-in-the-Park,**
Curated by Rob Garrett,
21st November 2009 – 28th February 2010,
Sponsored by Harkness Henry & Co., ABN AMRO Craigs, KPMG, and Hamiton City Council
- **Waitakaruru Sculpture Park, E:SCAPE Sculpture in the Landscape**
Curated by Sarah Anderson
13th March – 30 May 2010
The Trust is looking for corporate sponsors.

Remember : If you do not tell me what is on it is likely not to be reported.

General Contact , Please feel that you can contact me on any NZSAG business and with comments and/or suggestions for the newsletter. As the newsletter is put out every month the deadline for information etc is 15th of the month. If received after the 15th it will be considered for the following month. I would love to have some information from blowers, fusers and slumpers, stained glass artists, neon artists, architectural glass artists, framewokers and cold workers as well as others interested in, collecting or working in glass

Mobile 021 02307786

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Brian Chrystall, President, Newsletter Editor,