

Steering a safe course



through our retirement years

REBUS NZ INCORPORATED

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NEWSLETTER NO 19.

TRADEMARK RESTRAINTS NOW IN BLACK AND WHITE. The AJ Park letter dated 16 September which most non-PSPL affiliated Clubs will now have received, reinforces PSPL's position as stated on a number of occasions through 2016. Put simply, *re-affiliate by 31 October 2016, or risk legal action being taken against your Club.* (A copy is attached in the event yours is still on the way).

REBUS' prediction that there would be no *"sweetheart deals"* has been vindicated. It was simply unrealistic to expect that the owner of a trademark over intellectual property (no matter how unreasonably obtained), having spent close to \$200k in obtaining it, was going to allow its unauthorized use.

Furthermore, the Agreement signed by the Party relieved of paying the High Court Costs, after agreeing to withdraw its objection in the Intellectual Property Office, undertook not to challenge the use of the Probus name in the future. As well, there was an undertaking to immediately set about re-branding those Clubs not affiliated to PSPL.

Media Interest. An article appeared yesterday in a Fairfax regional paper and has gone NZ wide through Stuff.Co. A copy of this article is attached and follows on from attention given to the subject by the Nelson Mail last year.

What Now? Those Clubs who to date, have held onto the name in the hope that a resolution will surface, will now need to make up their own minds as to their next course of action.

Obviously, Rebus extends a welcoming hand and we repeat an invitation to affiliate with Rebus for the balance of this financial year, in terms of the Application form attached. If your Club has say a membership of 70, it will cost you only \$70 to do so!

For those Clubs who might be influenced by any suggestion that **REBUS** is not here to stay, be assured that ***we are well and truly established***, and that the last few days have created a huge flurry of activity which will most certainly ensure that the number of Clubs already on board, will only increase.

REBUS is happy to consider any further requests to attend your Club or Area, to outline firsthand what we are all about, with any questions answered face to face.

The REBUS Committee. Yes, it is true that our committee, with the exception of two members, is Auckland based. We had to start from somewhere and with the increasing number of Clubs coming on board, the time is fast approaching when this can be reviewed. At a meeting attended by our Chairman in the South Island on Monday, gender imbalance on Committee was also a topic for discussion. Interestingly, the consensus was that gender was of lesser importance than suitability.

At our committee meeting held this morning, the issue of representation on Committee, and the opportunity for Clubs to have a mechanism by which any perceived lack of democracy in the structure of the Committee, was addressed. **IT HAS THEREFORE BEEN RESOLVED** that for the year to commence 1 April 2017, Presidents (for the time being) of **REBUS** Affiliated Clubs will automatically become members of **REBUS NZ INCORPORATED**. (Any gender bias now overcome).

This will entitle Clubs to have their Presidents attend a REBUS Special or AGM and to exercise a vote on behalf of their Club.

Our Role in the Fragmentation of the Probus community. Those who criticize us for providing an alternative accreditation entity, may not be fully aware of the events which led to this. When we correctly anticipated the unfavourable outcome of the High Court decision, an alternative name was reserved. It was **Rebus**. In the spirit of goodwill, we made a formal offer to PNZI, before learning of the High Court judgment, to share this name with them. Our offer was declined.

When we heard that PNZI (FNZI) had withdrawn its objection to PSPL trademarking the Probus name in the Intellectual Property Office – thus passing up the remaining opportunity to retain the name, we then set about incorporating **Rebus**. This action reflected our keen disappointment in the autocratic way FNZI had decided not to liaise with Clubs over such an important decision.

A Club on the Kapiti Coast, being concerned at the possible fragmentation the new **REBUS** would cause, sought to bring about a meeting between the FNZI and **Rebus**. We quickly gave our consent to this and offered to meet as and when. It is our understanding that this initiative was rejected out of hand by FNZI and accordingly, the opportunity to attempt some degree of compromise did not materialize.

Perhaps, even if a meeting had taken place, there may have been no satisfactory outcome. **REBUS'S "Pledge"** as a non-political, non-intrusive stand-alone Service Centre, with Clubs able to communicate directly 24/7, would not fit well with FNZI's objectives. **Clubs clearly need to decide what suits them best.**

Our REBUS Website. We have received many compliments about our website. We hope you will take the time to visit www.rebus.nz. (Click here). It is very user friendly and does not require a password for access.

We also intend assisting those **REBUS** affiliated Clubs who are interested in developing their own website, by providing an inexpensive format for that purpose. Such sites can then be linked into the principal **REBUS** site. The first Club to take advantage of this facility is **REBUS's** founding Club, now the **Rebus Club of Hibiscus Coast**. Please visit www.rebus-hibiscus.nz. (click here)

Please remember, we answer all email, letters and phone calls 24/7. At REBUS, there are no weekends!

Best regards,

THE REBUS TEAM