

## 16 Maori advisory committee & Maori trade marks

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### 5 The Haka Ka Mate Attribution Act 2014

Through the Haka Ka Mate Attribution Act 2014, the Crown makes express acknowledgement of the significance of the haka Ka Mate (“Ka Mate”), Te Rauparaha as the composer of Ka Mate, the role of Ngati Toa Rangatira (“Ngati Toa”) as the kaitiaki of Ka mate, and affords Ngati Toa a right of attribution for Ka Mate. The right of attribution requires a clear and prominent statement that Te Rauparaha was the composer of Ka Mate and a chief of Ngati Toa Rangatira to accompany:

- the use of the words or associated actions and choreography of Ka Mate – or any part of Ka Mate – in any publication for commercial purposes,
- any communication of Ka Mate – or any part of Ka Mate – to the public (the transmission or making available by means of a communication technology, for example on a blog or webcasting), or
- any film that that includes Ka Mate – or part of Ka Mate - that is shown or issued to the public.

[Read more information on The Haka Ka Mate Attribution Act 2014, rights of attribution, and how to attribute.](#)

### 6 Annexure

Deleted: 5. Annexure

<sup>3</sup>The Māori Trade Marks Advisory Committee has advised the Commissioner that it does not consider the following words to be offensive for a wide range of goods and services:

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#### Footnote

<sup>3</sup> Practice Guideline Amendment 2004/04, Information For Clients, Issue 31: 30 June 2004.

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## 6.1 Kiwi

Deleted: 5.1 Kiwi

<sup>4</sup>The Māori Trade Marks Advisory Committee has advised the Commissioner that they do not consider the word 'kiwi' to be offensive for a wide range of goods and services:

As a result, the Commissioner will not send marks incorporating the above to the Committee, unless:

- The Commissioner considers that the mark may be offensive in relation to particular goods and services; or
- The mark includes other Māori text and/or imagery

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### Footnote

<sup>4</sup> Practice Guideline Amendment 2004/04, Information For Clients, Issue 31: 30 June 2004.

## 6.2 Geographical locations

Deleted: 5.2 Geographical locations

<sup>5</sup>The Māori Trade Marks Advisory Committee has advised the Commissioner that where a Māori word in a trade mark is a geographical location in New Zealand, it does not consider such geographical locations to be offensive for a wide range of goods and services.

As a result, the Commissioner will not send marks incorporating geographical locations to the Committee, unless the mark contains:

- Any matter the Commissioner considers might be offensive or ambiguous in relation to particular goods and services;
- An Atua or Tupuna name/image;
- An association with wahi tapu - a place sacred to Māori in the traditional, spiritual, religious, ritual, or mythological sense;
- A word that that may be regarded by whānau/hapū/iwi as having mana; or
- Other Māori text and/or imagery.

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### Footnote

<sup>5</sup> Practice Guideline Amendment 2005/04, Information For Clients, May 2005.

### **6.3 Pitau (Koru)**

Deleted: 5.3 Pitau (Koru)

<sup>6</sup>The Māori Trade Marks Advisory Committee has advised the Commissioner that where a pitau (also known as koru) appears as a device in a trade mark, it does not consider such devices to be offensive for a wide range of goods and services.

As a result, the Commissioner will not send marks incorporating pitau to the Committee, unless:

- the application contains an association with genetic technologies;
- the application includes other Maori text and/or imagery; or
- the Commissioner considers that the application may be offensive in relation to particular goods and services.

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#### **Footnote**

<sup>6</sup> Practice Guideline Amendment 2006/11, IPONZ Newsletter, December 2006.

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