

# Beer row ferments as row over name leaves DB in froth

By Bruce Holloway

The trademarking stoush between a multinational brewery and a bunch of Kiwi beer enthusiasts over the use of the beer term "radler" is starting to froth.

DB Breweries, which is now wholly owned by Singapore-based Asia Pacific Breweries, last week signalled its intention to fight a legal application filed in May by the Society of Beer Advocates (Soba) to invalidate its trade-marking of radler, in what is shaping as a David and Goliath beer battle.

Earlier this year DB Breweries forced the tiny Green Man Brewery to stop using the generic term radler and re-label its bottles, because it had trademarked that name in New Zealand in 2003.

But with the assistance of New Zealand's leading intellectual property litigation law firm, James & Wells Intellectual Property, Soba challenged the trade mark registration approval by the Intellectual Property Office of New Zealand.

DB waited until the last possible day to respond, filing a counter-statement rejecting the argument its trademark was a generic term, and reasserting its right to retain radler as its intellectual property.

Hamilton-based Soba secretary Greig McGill said while this was expected, private ownership of beer style names was totally unacceptable.

Mr McGill said Soba wants to strike a blow for anyone to have the freedom to brew and correctly name a generic style of beer.

To assist its case, Soba is inviting beer lovers prepared to state their knowledge of radler before 2003 to contact the organisation at info@soba.org.nz.

Soba's strategy would be to establish that New Zealanders, particularly brewers, were aware of the generic nature of the term before that date.

"We may soon require the assistance of all brewers in New Zealand in our quest to show that DB are either malicious in registering a trademark they knew was a generic brewing term, or incompetent in not knowing it was, when every other brewer worth their salt did," Mr McGill said.

"One outcome means they lose the trademark, the other means they lose huge amounts of credibility by being a brewer without a clue about beer."

Mr McGill said DB's tactic in waiting until the very last day before responding to its legal application was "a cynical, but

widely predicted move designed to maximise the distance from May's negative publicity".

But a formal hearing is likely months away with lawyers for both sides yet to file evidence and their responses.

Soba will argue that radler, like pilsener, porter, brown ale or bock, is a generic name for a recognised style of beer and should therefore not be a term owned by one brewery.

But DB said its original trademark application reflected the significant investment the company had made in its Monteith's Radler brew, which has been on the market for eight years.

DB communications manager Jo Jalfon was confident the radler trademark registration would be upheld.

DB's trademarking action has forced Green Man Brewery to relabel its beer under the name "cyclist" – the translation of the German word radler.



A bit of bottle: Greig McGill from Soba wants to strike a blow for brewers. Photo: TIMES FILE



Let's have a look: John Appel treats motocross rider Hayden Clark, who has some unsightly scars on his leg. Photos: KELLY HODEL

# Body tool combats scar tissue that you wish you never saw

By Natalie Akoorie Health reporter

Hamilton physiotherapist John Appel has a large scar on his elbow he got as a teenager in a motocross accident in his native United States.

But since the 35-year-old began using a new treatment, invented by an Auckland deep tissue massage therapist, the scar has slowly begun to soften and lighten.

Mr Appel, who has a Masters Degree in Physical Therapy, has been using the technique on a range of clients who have either external or internal scar tissue – and the results have been dramatic.

"I've definitely noticed a difference. In the last six months I've noticed scar tissue (on patients) completely softening and completely disappearing."

The owner of Advance Physiotherapy in Vickery St, he runs the only physiotherapy clinic outside Auckland formally trained in the treatment.

Using what's called a body tool, with a greenstone in one end and an Australian mineral stone in the other, Mr Appel massages the deep tissue and external scars to break up the tissue.

The technique can be used on all types of injuries or surgery resulting in scar tissue, muscle tightness, tears and tendonitis, and is also being used on the scars of burn victims.

Mr Appel said headaches, tennis elbow, occupational overuse syndrome and caesareans were just some of the conditions or events helped by the treatment.

Others include sports injuries like on his elbow and surgeries such as the total knee reconstruction of Hamilton professional motocross rider Hayden Clark.

Mr Clark, 19, was not expected to be able to get back on his bike for six months following the knee surgery, but Mr Appel said that with the treatment he rode again after four months.

With scar tissue having the strength of steel, a harder substance is needed to massage the scars, such as the quartz crystal and greenstone on the body tool.

"With a simple massage you get in and release the scar tissue. You can feel the adhesions break up. It allows it to heal properly into normal skin."

Patients can then be shown

how to keep up "daily maintenance" by massaging the Scars-Away stones into their skin during spare moments at home.

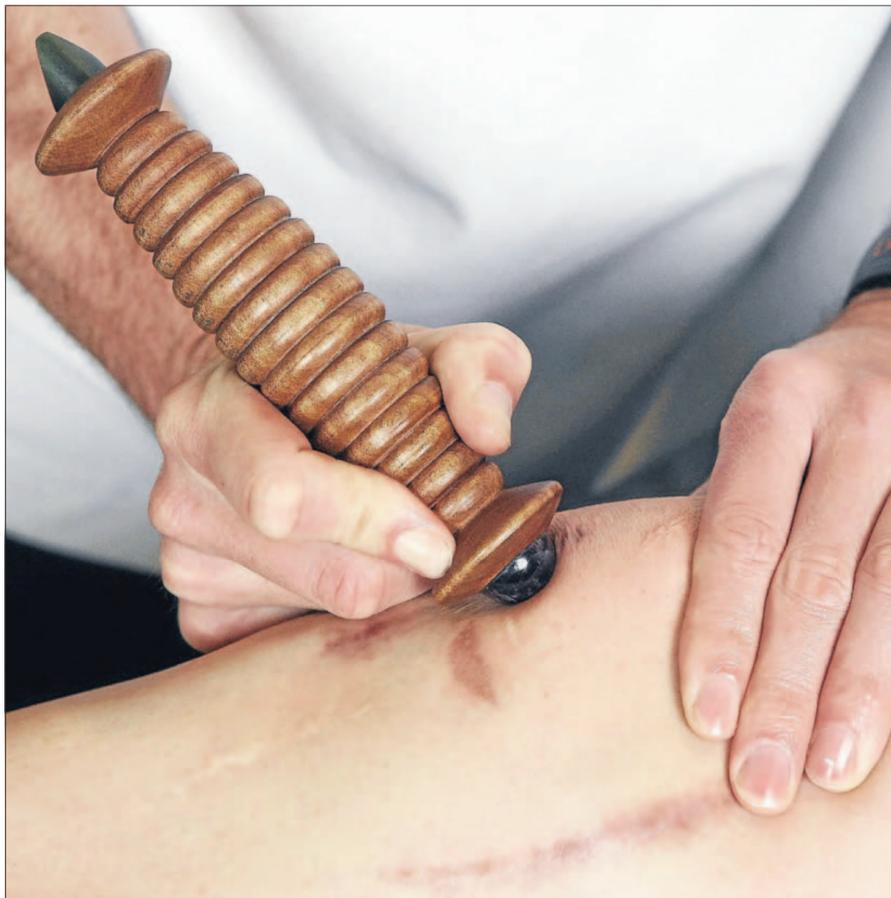
Burns victims who have used the treatment have reported great improvement and rejuvenation in their disfigured skin afterwards.

And it doesn't matter how old the scars are, according to Mr

Appel, who said the differences were noticeable almost immediately.

There's no denying the treatment can be painful, but according to patients the pain disappears when the scar tissue has broken up. "Once it releases, it's no longer painful."

For more information visit scarsaway.co.nz



Healing stones: Physiotherapist John Appel demonstrates the new tool to get rid of unsightly scars and break down internal scar tissue.

# Council split on seaweed

By Bruce Holloway

Environment Waikato's regional pest management committee is split over how it should respond to possible increased commercial harvesting of the highly invasive Japanese seaweed Undaria pinnatifida.

Maf Biosecurity New Zealand is seeking feedback before the end of the month on whether to allow greater commercial utilisation of undaria – now found in many parts of New Zealand, including the Firth of Thames – than is permitted under existing regulations.

Undaria is one of the world's top 100 most invasive species.

However, potential commercial market opportunities also exist, and Biosecurity New Zealand appears to be leaning towards freeing up harvest rules.

But at last week's regional pest management committee meeting, members and attending councillors were split three ways on what approach Environment Waikato should recommend in its submission.

Five supported harvesting where undaria was a byproduct of existing operations (such as clearing fouled lines).

Four supported further undaria harvesting in forms such as allowing it to be scraped off rocks in areas where it had become naturalised, while three supported commercial harvesting in areas where undaria was already heavily infested.

Councillor Andra Neeley said there were inevitable conflicts when a market was established for a pest.

"It gets into a really murky area when you give something an economic benefit," she said. "It mitigates against ever getting rid of it."

But councillor Norm Barker said he had spent a lifetime trying to eradicate weeds such as ragwort from his farm.

"Many times I have thought 'if only there was value in ragwort'. Here is a weed with value. We should be using it."

The committee resolved council staff should provide a draft submission, based on only harvesting as a byproduct where the seaweed was already present.

ON NOW

# SALE

UP TO 50% OFF

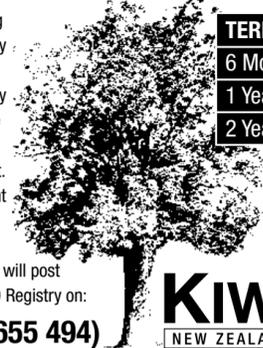
THE WHITE ROOM

135 WARD ST. HAMILTON

## The strong base for investment growth

Every investment plan needs a strong base. And Kiwi Bonds give you exactly what you need. Quarterly interest. Option for compounding interest. Easy access and flexibility. You just choose how much you want to invest and over what period you wish to invest it. The Kiwi Bonds Investment Statement is available from some Banks, Share Brokers, Solicitors and Chartered Accountants in public practice, or we will post you a copy when you call the NZDMO Registry on:

0800 65 KIWI (0800 655 494)



TERMS	\$1,000 – \$500,000
6 Months	2.50% pa
1 Year	2.50% pa
2 Years	3.00% pa

Kiwi Bonds are an AAA rated investment as assigned by STANDARD & POOR'S

**KIWI BONDS**  
NEW ZEALAND GOVERNMENT SECURITIES



## VICTORIA UNIVERSITY OF WELLINGTON Information Evening

PARENTS AND STUDENTS WELCOME

Our Information Evening gives parents, students and their friends the opportunity to come and discover what sets Victoria University apart. Learn more about our degrees, talk to faculty staff and a current student, and get your questions answered.

→ Wednesday 22 July 2009 from 6.30pm

→ Novotel Tainui Hamilton Hotel, 7 Alma Street, Hamilton

RSVP to 0800 VICTORIA or email course-advice@vuw.ac.nz

To find out more visit [victoria.ac.nz/srca](http://victoria.ac.nz/srca)

Get amongst the best.

0800 VICTORIA | WWW.VICTORIA.AC.NZ

