SSAA REACTION TO BRETT YOUNG’S ANNOUCEMENT THAT HE HAS TRADE-MARKED THE TERM ‘SABRE’

This week, Brett Young of YMS advised SSAA executive members that he has taken out a registered trademark over the word Sabre. Our inquiries of the trademark office have confirmed that this action was taken on 8 October. The trademark is in so-called category 12, which covers Vehicles - apparatus for locomotion by land, air or water.

We are not entirely clear about the motives for why Mr Young has taken this line of action and he has certainly done so with out any communication or collaboration with the SSAA. Mr Young has expressly declared that he believes he is now able to determine who may race a Sabre and compete in championships.  He believes this is provided due to his lodgment of the 'Sabre' Trademark. He maintains he will disallow FRP (i.e. fibreglass) boats from racing as Sabres if he does not approve of the shape of the hull and/or he does not approve of the origin of the means by which the mould used to build such Sabres was created. He further declares that he will now be the custodian of the Sabre design given his position as the registered trademark owner.

Mr Young has over the past several years maintained that there are several issues the SSAA needs to resolve in relation to the construction of the Sabre. The SSAA has attempted to accommodate these concerns at all times and wherever possible the Association has sought to seek out the issue and have it appropriately resolved. This process has often been frustrated by Mr Young's demeanour, personalisation of issues, and unwillingness to provide a structured basis of his concerns. In an attempt to advance these discussions the SSAA met with Mr Young on 9 October and discussed and agreed on a broad range of issues. These are covered by detailed minutes which were posted to the SSAA website this week. Mr Young chose to not reveal that fact that he had been granted the trademark the day before in these discussions other than to Andrew Graham on a confidential basis minutes before the meeting started.

Subsequent to this meeting the SSAA has briefed a leading Intellectual Property law firm on a range of issues regarding the implication of the new Trademark, and the steps that the SSAA should now take to safeguard the design and other features of the Sabre class. It will be our intent to ensure that Mr Young’s actions have no impact on the SSAA’s role of operating and controlling the Sabre class or determining who may enter Sabre championships including the upcoming nationals in Adelaide.

Mr Young has declared he is 'saving the class' however the SSAA has no intention of allowing the class to be effectively controlled nor bullied by the disingenuous claims of one of its builders. The ultimate intent of this action is to prohibit the construction of a Sabre by any builders that Mr Young has not sanctioned. The SSAA is unaware of Mr Young’s commercial motives in taking these actions, although it is cognizant of previous claims that YMS is potentially investigating having YMS moulds in WA, SA, Vic, Tas and NSW. We are unaware as to who Mr Young’s backers are in undertaking his actions.

The SSAA strongly rejects Mr Young’s assertions that the SSAA is not taking positives moves to protect the design of the Sabre or that any of the current moulds in use around Australia are producing Sabres which do not or should not measure. The SSAA has been diligently and collaboratively doing exactly that over the last 24 months. We have sought to involve all stakeholders in the process, including our membership. The actions taken by Mr Young have definitely been undertaken in an insidious basis.  We will be moving to an even stronger regime to ensure that plugs and moulds for FRP Sabres are rigidly controlled to ensure that the boats produced remain Sabres. In no particular order:

- the new charter document will give the SSAA new powers to rule out shapes and anything radical or designed to exploit loopholes

- a new mould and builder licensing regime - including pre-approval of new plugs / moulds

- new curvature' rules under investigation will strengthen the ability to control shapes

-  new measurement rules under investigation

- creating new master templates to provide a single reference point for what constitutes a Sabre.

The SSAA will keep members and other builders up to date with developments in this area. In the interim we use this notice to convey to our members our disappointment that Mr Young has taken this action . Further it is offensive that he states this has been undertaken so as to represent the best interests of the class, and it is a position of extraordinary audacity to maintain that one person has the title to become the self appointed arbiter of the future the Sabre.

The SSAA has invited several members from our member state Associations to join SSAA Executive members to create a 7 person team (including the state presidents of Vic and Qld Russell Rooney and Alan Wilson) who will be overseeing all aspects of this issue.

We will update the Sabre Community regularly re the status in this development. In meantime we thank you for your support and please be sure to provide your encouragement to your State Sabre Association at any opportunity. We are after all only a volunteer association.

SSAA Executive Committee of Management   27 Oct 2014