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IP Australia

New Intellectual Property (IP) training

*developing business-critical
workplace competencies*

Peter Willimott
IP Australia



www.ipaustralia.gov.au



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Who is IP Australia?

- **Australian Government agency responsible for granting registered IP rights:**
 - **Patents (inventions)**
 - **Trade Marks (brands, names, logo)**
 - **Designs (visual appearance)**
 - **Plant Breeder's rights (plant varieties)**
- **Based in Canberra, with Marketing Managers located in all states**
- **Over 1000 staff**





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IP Australia's public education & awareness role

- **Objective: raise the level of awareness and understanding of IP**
 1. amongst Australian business and
 2. within the community
- **Try to get the right message to the right people at the right time**
- **Approach is target based due to different market sectors having different needs and communication methods**
- **Aim to be innovative in delivering the message**





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Why is IP important to Australian businesses?

- **Critical to business survival and success**
- **Protects and rewards creative thinking**
- **Provides a commercial advantage in the market-place**
- **Can be licensed or sold**
- **All businesses generate IP, but many place a low priority on it or fail to recognise it at all**
- **If a business doesn't takes steps to identify and protect its intangible assets, they can be lost to a competitor**





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Why does IP matter?





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The Billabong Story

- **Founded on the Gold Coast in 1973 by Gordon Merchant and his partner.**
- **The pair designed board shorts at home, and then sold the finished product to the local surf shop.**
- **Customers appreciated the superior functionality of the Billabong board shorts along with the durability of the unique triple-stitching technique developed by Gordon.**





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The Billabong Story

- **The company introduced the brand to better known local surfers and eventually went on to sponsor contests and special events as part of its marketing strategy.**
- **By the 1980s, Billabong enjoyed strong brand equity in Australian surf culture and was ready for expansion into the large North American market.**





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The Billabong Story

- **Total sales grew from approximately \$110 million in 1999 to \$1.67 billion in the 2008-09 financial year.**
- **The company has approximately 4500 staff worldwide and its shares are publicly listed on the Australian Securities Exchange.**
- **Billabong International's products are licensed and distributed in more than 100 countries and are available in approximately 10,000 stores worldwide.**





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Show me the money!

- Enterprise value has been calculated as of the closing share price on 12 October 2009.
- Enterprise Value = around AUS\$3 billion
- about 60% of Enterprise Value are intangible assets
- That's the **BOTTOM LINE**





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Billabong – IP Story

- Today have 29 registered trade marks (latest registered in 2007)

Billabong.

First one was registered in 1979:





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My Mate Howie – Essential Landscaping



- **Howie has run his own landscaping business since 1998**





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My Mate Howie – Essential Landscaping

- **Business is called Essential Landscape**
- **When first starting out he advertised in Yellow pages and local classifieds**
- **Hasn't advertised since 1999**
- **Start a job, put up a sign, next thing a neighbour is asking him to come around and quote on some paving, or a deck or a water feature.**





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My Mate Howie – Essential Landscaping

- The name ‘Essential Landscape’ is everything to him as referral are his only form of marketing
- Now has three employees
- Success has come from hard, back breaking work





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My Mate Howie – Essential Landscaping

- **April 2008 = DISASTER**
- **He saw a ute in Canberra with a decal “Essential Landscaping”**
- **Howie had no trade mark, no evidence of prior use through advertising, very little legal standing**
- **He called IP Australia (me)**





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My Mate Howie – Essential Landscaping

- **“But I’ve registered it as my business name!”**
- **He filed for a trade mark application straight away**
- **Was successful in registering Essential Landscape**
- **Had to negotiate a deal with the newcomer which cost \$\$\$\$ and time**





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In the NRL, we have the salary cap and our intellectual property is compromised.



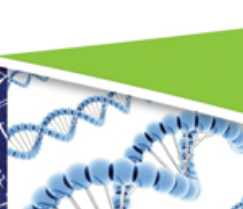


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Big Business and IP



Vs





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Word: iSnack 2.0
Image:
Lodgement Date: 28-SEP-2009
Convention Details: 30-JUL-2009
301395991
HONG KONG





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Vs

Word: VEGEMITE CHEESYBITE

Image:

Lodgement Date: 01-OCT-2009

Acceptance Due: 08-JAN-2011

First Report: 08-OCT-2009

Class/es: [29](#), [30](#)

Owner/s: Kraft Foods Limited

ACN: 004125071

187 Todd Road

FISHERMANS BEND VIC 3207

AUSTRALIA

Class: 29; spreads containing dairy products; spreads containing cream cheese; spreads containing dairy products and yeast extract;





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Word: CHEESY BITES

Owner/s:

Pizza Hut International, LLC

Image:

14841 North Dallas Parkway

Lodgement Date: 15-OCT-2009

Dallas Texas 75254-7552

Class/es: [29](#), [30](#)

UNITED STATES OF AMERICA

Status: Taken for Examination

Kind: n/a

Type of Mark: Word

Examiner: Glen RIESCHIEK

Class: 29; spreads containing dairy products; spreads containing cream cheese; spreads containing dairy products and yeast extract;





Quantifiable Data on IP Awareness

- Earlier this year a survey was undertaken with 542 small business owners and 65 medium sized business owners
- Q: Are you aware of intellectual property protection available through patents, trademarks, designs and plant breeders rights?

Medium: very aware: 17
 somewhat aware: 58
 not at all aware: 25

Small: very aware: 15
 somewhat aware: 51
 not at all aware: 34



Development of new competency standards in IP

- **Research identified a need for competency-based IP training to be developed**
- **Partnership with Innovation and Business Skills Australia**
- **Broad consultation and comprehensive development program**
- **A package of new units and skill sets in IP endorsed by the National Quality Council in 2009**
- **Training can now be accessed on the NTIS**
- **Promotional phase of the project currently underway**



What training has been developed?

BSB07 Training Package

Units:

Adv Dip - Develop and implement strategies for IP management

Diploma - Manage IP to protect and grow business

Cert 4 - Protect and use intangible assets in small business

Cert 4 - Protect and use innovative designs

Cert 4 - Protect and use brands and business identity

Cert 4 - Protect and use new inventions and innovations

Cert 4 - Use and respect copyright

Cert 3 - Comply with organisational requirements for protection and use of IP

Skill sets:

- Small business IP skill set
- Copyright skill set
- IP strategic management skill set
- Trade mark skill set
- Patent skill set
- Design protection skill set





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Which qualifications have units be mapped to?

Revisions to 11 qualifications to include IP units as electives:

Certificate III in Business

Certificate III in Business Administration

Certificate III in Micro Business Operations

Certificate IV in Business

Certificate IV in Franchising

Certificate IV in Small Business Management

Diploma of Business

Diploma of Franchising

Diploma of Management

Advanced Diploma of Business

Advanced Diploma of Management





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Facilitation and Assessment kits

- Each unit and skill set are accompanied by a facilitation kit and an assessment kit for trainers
- RTOs can access kits free of charge
- Resources can be accessed from IP Australia or:
www.resourcegenerator.gov.au
www.flexiblelearning.gov.au





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Trainers database

- **IP Australia has compiled a national database of trainers with professional experience and skills to deliver positive IP training outcomes.**
- **This is a free resource aimed at assisting RTOs with trainer recruitment.**
- **The trainers' database is largely (over 80 per cent) comprised of IP attorneys or legal practitioners, and the remainder have highly relevant experience in management consulting and IP commercialisation.**





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Student workbooks

- **Two Student Workbooks are currently available as accompanying resources to the units of competency**
- **These resources are being provided to RTOs free of charge**
- **Remaining six workbooks expected to be completed by the end of the financial year**





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Other free resources

**Broad range of free resources that can be either
downloaded**

or ordered from IP Australia's website

www.ipaustralia.gov.au

- **Publications**
- **Fact sheets**
- **Case studies**
- **IP Kits**





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More information:

IP Australia

www.ipaustralia.gov.au

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Email: marketing@ipaustralia.gov.au

We are also here at AusTAFE in the exhibition area!

